

# CALEA Law Enforcement Agency Standards

## STANDARD TITLES Accreditation and Advanced Accreditation

This document serves as a comprehensive list of CALEA Standards for Law Enforcement Agencies. Those highlighted constitute the contents of the CALEA Law Enforcement Accreditation Program. The CALEA Advanced Law Enforcement Accreditation is composed of all standards listed. Questions concerning standard applicability should be directed to CALEA Program Management staff.

### 1.0 Law Enforcement Role and Authority

#### 1.1 Law Enforcement Agency Role

1.1.1 Oath of Office

1.1.2 Code of Ethics

1.1.3 Agency's Role in Criminal Justice Diversion Programs

1.1.4 Consular Notification

#### 1.2 Limits of Authority

1.2.1 Legal Authority Defined

1.2.2 Legal Authority to Carry/Use Weapons

1.2.3 Compliance with Constitutional Requirements

1.2.4 Search and Seizure

1.2.5 Arrest with/without Warrant

1.2.6 Alternatives to Arrest

1.2.7 Use of Discretion

1.2.8 Strip/Body Cavity Search

1.2.9 Bias Based Profiling

#### 1.3 Use of Force

1.3.1 Use of Reasonable Force

1.3.2 Use of Deadly Force

1.3.3 Warning Shots

1.3.4 Use of Authorized Less Lethal Weapons

1.3.5 Rendering Aid After Use of Weapons

1.3.6 Reporting Uses of Force

1.3.7 Reviewing Reports of 1.3.6

1.3.8 Removal from Line of Duty Assignment, Use of Force

1.3.9 Authorization: Weapons and Ammunition

1.3.10 Demonstrating Proficiency with Weapons

1.3.11 Annual/Biennial Proficiency Training

1.3.12 Issuing Written Directives

1.3.13 Analyze Reports from 1.3.6

## **2.0 Agency Jurisdiction and Mutual Aid**

### 2.1 Agency Jurisdiction and Mutual Aid

- 2.1.1 Geographical Boundaries
- 2.1.2 Concurrent Jurisdiction
- 2.1.3 Written Agreements for Mutual Aid
- 2.1.4 Requesting Assistance: Federal LE/National Guard

## **3.0 Contractual Agreements for Law Enforcement Services**

### 3.1 Contractual Agreements

- 3.1.1 Written Agreement for Services Provided
- 3.1.2 Employee Rights

## **11.0 Organization and Administration**

### 11.1 Organizational Structure

- 11.1.1 Description of Organization
- 11.1.2 Organizational Chart

### 11.2 Unity of Command

- 11.2.1 Employee Accountability
- 11.2.2 Direct Command, Component

### 11.3 Authority and Responsibility

- 11.3.1 Responsibility/Authority
- 11.3.2 Supervisory Accountability

### 11.4 General Management and Administration

- 11.4.1 Administrative Reporting Program
- 11.4.2 Accountability for Agency Forms
- 11.4.3 Accreditation Maintenance
- 11.4.4 Computer Software Policy
- 11.4.5 Notify CEO of Incident with Liability

## **12.0 Direction**

### 12.1 Direction

- 12.1.1 CEO Authority and Responsibility
- 12.1.2 Command Protocol
- 12.1.3 Obey Lawful Orders
- 12.1.4 Functional Communication/Cooperation

### 12.2 Written Directives

12.2.1 The Written Directive System

12.2.2 Dissemination and Storage

## **15.0 Planning and Research, Goals and Objectives, and Crime Analysis**

15.1 Planning and Research

15.1.1 Activities of Planning and Research

15.1.2 Organizational Placement/Planning and Research

15.1.3 Multiyear Plan

15.2 Goals and Objectives

15.2.1 Annual Updating/Goals and Objectives

15.2.2 System for Evaluation/Goals and Objectives

15.3 Crime Analysis

15.3.1 Establish Procedures

## **16.0 Allocation and Distribution of Personnel and Personnel Alternatives**

16.1 Allocation and Distribution of Personnel

16.1.1 Position Management System

16.1.2 Workload Assessments

16.2 Specialized Assignment

16.2.1 Annual Review

16.2.2 Announce Openings

16.2.3 Temporary/Rotating Assignments

16.3 Reserves

16.3.1 Program Description

16.3.2 Selection Criteria

16.3.3 Entry Level Training

16.3.4 Uniforms and Equipment

16.3.5 In-Service Training

16.3.6 Use of Force Training & Firearms Proficiency

16.3.7 Bonding/Liability Protection

16.3.8 Performance Evaluations

16.3.9 Educational Requirements

16.4 Auxiliaries

16.4.1 Program Description

16.4.2 Training

16.4.3 Uniforms

## **17.0 Fiscal Management and Agency Property**

- 17.1 Fiscal Management
  - 17.1.1 CEO Authority and Responsibility
- 17.2 Budget
  - 17.2.1 Budget Process and Responsibility Described
  - 17.2.2 Functional Recommendations to Budget
- 17.3 Purchasing
  - 17.3.1 Requisition and Purchasing Procedures
- 17.4 Accounting
  - 17.4.1 Accounting System
  - 17.4.2 Cash Fund/Accounts Maintenance
  - 17.4.3 Independent Audit
- 17.5 Agency Property
  - 17.5.1 Inventory and Control
  - 17.5.2 Issue/Reissue Procedures
  - 17.5.3 Operational Readiness

## **21.0 Classification and Delineation of Duties and Responsibilities**

- 21.1 Task Analysis
  - 21.1.1 Task Analysis
- 21.2 Classification
  - 21.2.1 Classification Plan
  - 21.2.2 Job Description Maintenance and Availability

## **22.0 Compensation, Benefits, and Conditions of Work**

- 22.1 Compensation
  - 22.1.1 Salary Program
- 22.2 Benefits
  - 22.2.1 Leave Program
  - 22.2.2 Benefits Program
  - 22.2.3 Personnel Support Services Program
  - 22.2.4 Victim Witness Services/Line of Duty Death
  - 22.2.5 Clothing and Equipment
  - 22.2.6 Employee Assistance Program
  - 22.2.7 Employee Identification
- 22.3 Conditions of Work

- 22.3.1 Physical Examinations
- 22.3.2 General Health and Physical Fitness
- 22.3.3 Fitness and Wellness Program
- 22.3.4 Off-Duty Employment
- 22.3.5 Extra-Duty Employment

## **24.0 Collective Bargaining**

- 24.1 Collective Bargaining and Contract Management
  - 24.1.1 Agency Role
  - 24.1.2 Ratification Responsibilities

## **25.0 Grievance Procedures**

- 25.1 Grievance Procedures
  - 25.1.1 Grievance Procedures
  - 25.1.2 Coordination/Control of Records
  - 25.1.3 Annual Analysis

## **26.0 Disciplinary Procedures**

- 26.1 Disciplinary Procedures
  - 26.1.1 Code of Conduct and Appearance
  - 26.1.2 Employee Awards
  - 26.1.3 Sexual Harassment
  - 26.1.4 Disciplinary System
  - 26.1.5 Role and Authority of Supervisors
  - 26.1.6 Appeal Procedures
  - 26.1.7 Dismissal Procedures
  - 26.1.8 Records

## **31.0 Recruitment**

- 31.1 Administrative Practices and Procedures
  - 31.1.1 Agency Participation
  - 31.1.2 Assignment/Recruitment
- 31.2 Equal Employment Opportunity and Recruitment
  - 31.2.1 Work Force Analysis
  - 31.2.2 Recruitment Plan
  - 31.2.3 Equal Employment Opportunity Plan
- 31.3 Job Announcements and Publicity
  - 31.3.1 Job Announcements
  - 31.3.2 Posting Locations

- 31.3.3 Maintaining Applicant Contact
- 31.3.4 Application Rejection

## **32.0 Selection**

### 32.1 Professional and Legal Requirements

- 32.1.1 Selection Process Described
- 32.1.2 Job Relatedness
- 32.1.3 Uniform Administration
- 32.1.4 Candidate Information
- 32.1.5 Notification of Ineligibility
- 32.1.6 Records
- 32.1.7 Selection Material Security

### 32.2 Administrative Practices and Procedures

- 32.2.1 Background Investigations
- 32.2.2 Training
- 32.2.3 Records Retention
- 32.2.4 Polygraph Examinations
- 32.2.5 Conducted by Trained Personnel
- 32.2.6 Use of Results
- 32.2.7 Medical Examinations
- 32.2.8 Emotional Stability/Psychological Fitness Examinations
- 32.2.9 Records Retention
- 32.2.10 Entry Level Probation

## **33.0 Training and Career Development**

### 33.1 Administration

- 33.1.1 Training Committee
- 33.1.2 Attendance Requirements
- 33.1.3 Outside Training Reimbursement
- 33.1.4 Lesson Plan Requirements
- 33.1.5 Remedial Training
- 33.1.6 Employee Training Record Maintenance
- 33.1.7 Training Class Records Maintenance

### 33.2 Academy

- 33.2.1 Academy Administration and Operation
- 33.2.2 Academy Facilities
- 33.2.3 Outside Academy, Role
- 33.2.4 Outside Academy, Agency Specific Training

### 33.3 Training Instructors

- 33.3.1 Instructor Training

### 33.4 Recruit Training

33.4.1 Entry Level Training Required

33.4.2 Recruit Training Program

33.4.3 Field Training Program

### 33.5 In-Service, Shift Briefing, and Advanced Training

33.5.1 Annual Retraining Program

33.5.2 Shift Briefing Training

33.5.3 Accreditation Training

33.5.4 Accreditation Manager Training

### 33.6 Specialized In-Service Training

33.6.1 Specialized Training

33.6.2 Tactical Team Training Program

### 33.7 Civilian Training

33.7.1 Civilian Orientation

33.7.2 Civilian Pre-Service and In-Service Training

### 33.8 Career Development

33.8.1 Career Development Personnel Training

33.8.2 Skill Development Training Upon Promotion

33.8.3 Career Development Program

## 34.0 Promotion

### 34.1 Professional and Legal Requirements

34.1.1 Agency Role

34.1.2 Authority and Responsibility

34.1.3 Promotional Process Described

34.1.4 Job Relatedness

34.1.5 Promotional Announcement

34.1.6 Eligibility Lists

34.1.7 Promotional Probation

## 35.0 Performance Evaluation

### 35.1 Administration

35.1.1 Performance Evaluation System

35.1.2 Annual Evaluation

35.1.3 Quarterly Evaluation of Probationary Employees

35.1.4 Evaluation Criteria

35.1.5 Evaluation Period

35.1.6 Unsatisfactory Performance

- 35.1.7 Employee Counseling
- 35.1.8 Rater Evaluation
- 35.1.9 Personnel Early Warning System

## **41.0 Patrol**

### 41.1 Administration

- 41.1.1 Shift/Beat Assignment
- 41.1.2 Shift Briefing
- 41.1.3 Special-Purpose Vehicles
- 41.1.4 Agency Animals

### 41.2 Operations

- 41.2.1 Responding Procedures
- 41.2.2 Pursuit of Motor Vehicles
- 41.2.3 Roadblocks and Forcible Stopping
- 41.2.4 Notification Procedures
- 41.2.5 Missing Persons
- 41.2.6 Missing Children
- 41.2.7 Mental Illness

### 41.3 Equipment

- 41.3.1 Patrol Vehicles Lights,Sirens
- 41.3.2 Equipment Specification/Replenishment
- 41.3.3 Occupant Safety Restraints
- 41.3.4 Authorized Personal Equipment
- 41.3.5 Protective Vests
- 41.3.6 Protective Vests/Pre-Planned, High Risk Situations
- 41.3.7 Mobile Data Access
- 41.3.8 In-Car Audio/Video

## **42.0 Criminal Investigation**

### 42.1 Administration

- 42.1.1 On-Call Schedule
- 42.1.2 Case-Screening System
- 42.1.3 Case File Management
- 42.1.4 Accountability, Preliminary/Follow-Up Investigations
- 42.1.5 Habitual/Serious Offenders
- 42.1.6 Criminal Intelligence

### 42.2 Operations

- 42.2.1 Preliminary Investigations Steps
- 42.2.2 Follow-Up Investigations Steps
- 42.2.3 Investigative Checklists



- 42.2.4 Patrol Shift Briefing Attendance
- 42.2.5 Investigative Task Forces
- 42.2.6 Polygraph Examinations
- 42.2.7 Informants
- 42.2.8 Identity Crimes
- 42.2.9 Cold Cases
- 42.2.10 Interview Rooms
- 42.2.11 Line-ups
- 42.2.12 Show-ups

### **43.0 Vice, Drugs, and Organized Crime**

- 43.1 Administration and Operations
  - 43.1.1 Complaint Management
  - 43.1.2 Records, Storage and Security
  - 43.1.3 Confidential Funds
  - 43.1.4 Equipment, Authorization and Control
  - 43.1.5 Covert Operations

### **44.0 Juvenile Operations**

- 44.1 Administration
  - 44.1.1 Juvenile Operations Policy
  - 44.1.2 Policy Input, Others
  - 44.1.3 Annual Program Review
- 44.2 Operations
  - 44.2.1 Handling Offenders
  - 44.2.2 Procedures for Custody
  - 44.2.3 Custodial Interrogation
  - 44.2.4 School Liaison Program
  - 44.2.5 Community Recreation Programs

### **45.0 Crime Prevention and Community Involvement**

- 45.1 Crime Prevention
  - 45.1.1 Activities
  - 45.1.2 Organizing Prevention Groups
  - 45.1.3 Prevention Input
- 45.2 Community Involvement
  - 45.2.1 Activities
  - 45.2.2 Quarterly Progress Report
  - 45.2.3 Procedures for Transmitting Information
  - 45.2.4 Citizens Survey

45.2.5 Survey Summary to CEO

## **46.0 Critical Incidents, Special Operations, and Homeland Security**

### 46.1 Critical Incidents

- 46.1.1 Planning Responsibility
- 46.1.2 All Hazard Plan
- 46.1.3 Command Function
- 46.1.4 Operations Function
- 46.1.5 Planning Function
- 46.1.6 Logistics Function
- 46.1.7 Finance/Administration Function
- 46.1.8 Equipment Inspection
- 46.1.9 Annual Training

### 46.2 Special Operations

- 46.2.1 Special Operations Activities
- 46.2.2 Tactical Team Selection
- 46.2.3 Tactical Team Equipment
- 46.2.4 Hostage Negotiator Selection
- 46.2.5 Search and Rescue
- 46.2.6 VIP Security Plan
- 46.2.7 Special Events Plan

### 46.3 Homeland Security

- 46.3.1 Liaison with other Organizations
- 46.3.2 Terrorism Related Intelligence
- 46.3.3 Providing Awareness Information
- 46.3.4 Hazmat Awareness

## **52.0 Internal Affairs**

### 52.1 Organizational Integrity

- 52.1.1 Complaint Investigation
- 52.1.2 Records, Maintenance and Security
- 52.1.3 CEO, Direct Accessibility
- 52.1.4 Complaint Registering Procedures
- 52.1.5 Annual Summaries; Public Availability

### 52.2 Complaint Procedures

- 52.2.1 Complaint Types
- 52.2.2 CEO, Notification
- 52.2.3 Investigation Time Limits
- 52.2.4 Informing Complainant
- 52.2.5 Statement of Allegations/Rights

- 52.2.6 Submission to Tests, Procedures
- 52.2.7 Relieved from Duty
- 52.2.8 Conclusion of Fact

## **53.0 Inspectional Services**

### 53.1 Line Inspections

#### 53.1.1 Procedures

### 53.2 Staff Inspections

#### 53.2.1 Procedures

## **54.0 Public Information**

### 54.1 Public Information

#### 54.1.1 Activities

#### 54.1.2 Policy Input

#### 54.1.3 News Media Access

## **55.0 Victim/Witness Assistance**

### 55.1 Administration

#### 55.1.1 Summary of Rights

#### 55.1.2 Analysis, Need/Services

#### 55.1.3 Policy/Procedure Development

### 55.2 Operations

#### 55.2.1 Initial Assistance

#### 55.2.2 Assistance, Threats

#### 55.2.3 Assistance, Preliminary Investigation

#### 55.2.4 Assistance, Follow-Up Investigation

#### 55.2.5 Assistance, Suspect Arrest

#### 55.2.6 Next-of-Kin Notification

## **61.0 Traffic**

### 61.1 Traffic Enforcement

#### 61.1.1 Selective Enforcement Activities

#### 61.1.2 Uniform Enforcement Procedures

#### 61.1.3 Violator Procedures

#### 61.1.4 Informing The Violator

#### 61.1.5 Uniform Enforcement Policies

#### 61.1.6 Enforcement Practices

#### 61.1.7 Stopping/Approaching

#### 61.1.8 Officer-Violator Relations

- 61.1.9 Speed-Measuring Devices
- 61.1.10 Alcohol Enforcement Program
- 61.1.11 DUI Procedures
- 61.1.12 License Reexamination Referrals
- 61.1.13 Parking Enforcement
  
- 61.2 Traffic Collision Investigation
  - 61.2.1 Reporting and Investigation
  - 61.2.2 Collision Scene Responses
  - 61.2.3 Collision Scene Duties
  - 61.2.4 Follow-Up Investigations
  
- 61.3 Traffic Direction and Control
  - 61.3.1 Traffic Engineering
  - 61.3.2 Direction/Control Procedures
  - 61.3.3 Escorts
  - 61.3.4 Adult School Crossing Guards
  - 61.3.5 Student Safety Patrol Program
  - 61.3.6 Local/Region Planning Committees
  
- 61.4 Ancillary Services
  - 61.4.1 Assistance, Highway Users
  - 61.4.2 Hazardous Highway Conditions
  - 61.4.3 Towing
  - 61.4.4 Traffic Safety Materials

## **70.0 Detainee Transportation**

- 70.1 Transport Operations
  - 70.1.1 Pre-Transport Prisoner Searches
  - 70.1.2 Searching Transport Vehicles
  - 70.1.3 Procedures, Transporting by Vehicle
  - 70.1.4 Interruption of Transport
  - 70.1.5 Prisoner Communication
  - 70.1.6 Procedures, Transport Destination
  - 70.1.7 Procedures, Escape
  - 70.1.8 Notify Court of Security Hazard
  
- 70.2 Restraining Devices
  - 70.2.1 Prisoner Restraint Requirement
  
- 70.3 Special Transport Situations
  - 70.3.1 Sick, Injured, Disabled
  - 70.3.2 Hospital Security and Control
  - 70.3.3 Special Situations

- 70.4 Transport Equipment
  - 70.4.1 Vehicle Safety Barriers
  - 70.4.2 Rear Compartment Modifications
- 70.5 Documentation
  - 70.5.1 Prisoner ID and Documentation

## **71.0 Processing and Temporary Detention**

- 71.1 Authorization
  - 71.1.1 Designate Rooms or Areas
- 71.2 Training
  - 71.2.1 Training of Personnel
- 71.3 Detainee Processing and Control
  - 71.3.1 Procedures
  - 71.3.2 Immovable Objects
  - 71.3.3 Security
- 71.4 Temporary Detention Facility Conditions
  - 71.4.1 Physical Conditions
  - 71.4.2 Fire Prevention/Suppression
  - 71.4.3 Inspections
- 71.5 Processing and Testing
  - 71.5.1 Security Concerns in Designated Processing or Testing Rooms/Areas

## **72.0 Holding Facility**

- 72.1 Organization, Administration, and Management
  - 72.1.1 Training User Personnel
  - 72.1.2 Access, Nonessential Persons
  - 72.1.3 Records Security
- 72.2 Physical Plant
  - 72.2.1 Minimum Conditions
- 72.3 Safety and Sanitation
  - 72.3.1 Fire, Heat, Smoke Detection System, Inspections
  - 72.3.2 Posted Evacuation Plan
  - 72.3.3 Weekly Sanitation Inspection
- 72.4 Security and Control

- 72.4.1 Securing Firearms**
- 72.4.2 Entering Occupied Cells
- 72.4.3 Key Control
- 72.4.4 Facility Door Security
- 72.4.5 Security Checks
- 72.4.6 Security Inspections
- 72.4.7 Tool and Culinary Equipment
- 72.4.8 Alerting Control Point
- 72.4.9 Panic Alarms
- 72.4.10. Procedures, Escape
- 72.4.11 Report, Threats to Facility
- 72.5 Detainee Processing**
- 72.5.1 Detainee Searches
- 72.5.2 Intake Forms
- 72.5.3 Sight and Sound Separation**
- 72.5.4 Segregation
- 72.5.5 Procedure, Outside Detainees
- 72.5.6 Procedure, Exceeding Capacity
- 72.5.7 Identification, Released Detainees
- 72.6 Medical and Health Care Services**
- 72.6.1 Procedure, Medical Assistance
- 72.6.2 First Aid Kit
- 72.6.3 Receiving-Screening Information
- 72.6.4 Posted Access to Medical Service
- 72.6.5 Dispensing Pharmaceuticals
- 72.7 Detainee Rights**
- 72.7.1 Procedure, Detainee Rights
- 72.8 Supervision of Detainees**
- 72.8.1 24-Hour Supervision
- 72.8.2 Audio/Visual Surveillance
- 72.8.3 Supervision, Opposite Sex
- 72.8.4 Receiving Mail/Packages
- 72.8.5 Visiting
- 73.0 Court Security**
- 73.1 Administration
- 73.1.1 Role, Authority, Policies**
- 73.2 Operations
- 73.2.1 Facilities, Equipment, Security Survey

### 73.3 Security Policy and Procedures

#### 73.3.1 Weapon Lockboxes

#### 73.3.2 Use of Restraints

### 73.4 Equipment

#### 73.4.1 Identification, Availability, Operational Readiness

#### 73.4.2 External Communications

#### 73.4.3 Duress Alarms

### 73.5 Court Holding Facilities

#### 73.5.1 Training

#### 73.5.2 Detainee Searches

#### 73.5.3 Detainee Property Security

#### 73.5.4 Segregation

#### 73.5.5 Procedure for Medical Assistance

#### 73.5.6 First Aid Kit

#### 73.5.7 Access of Nonessential Persons

#### 73.5.8 Minimum Conditions

#### 73.5.9 Fire Alarm System

#### 73.5.10 Evacuation Plan

#### 73.5.11 Sanitation Inspection

#### 73.5.12 Securing Firearms

#### 73.5.13 Entering Occupied Cells

#### 73.5.14 Key Control

#### 73.5.15 Facility Door Security

#### 73.5.16 Security Checks

#### 73.5.17 Security Inspections

#### 73.5.18 Designated Control Point

#### 73.5.19 Panic Alarms

#### 73.5.20 Escape Procedures

#### 73.5.21 Report of Threats to Facility

#### 73.5.22 Posted Access to Medical Service

#### 73.5.23 Audio/Visual Surveillance

#### 73.5.24 Supervision of Opposite Sex

## 74.0 Legal Process

### 74.1 Records

#### 74.1.1 Information, Recording

#### 74.1.2 Execution/Attempt Service, Recording

#### 74.1.3 Warrant/Wanted Person Procedures

### 74.2 Civil Process

#### 74.2.1 Procedure, Civil Service

- 74.3 Criminal Process
  - 74.3.1 Procedure, Criminal Process
  - 74.3.2 Arrest Warrants Require Sworn Service

## **81.0 Communications**

- 81.1 Administration
  - 81.1.1 Agreements, Shared/Regional Facility
  - 81.1.2 Operations Meet FCC Requirements
- 81.2 Operations
  - 81.2.1 24 Hour, Toll-Free Service
  - 81.2.2 Continuous, Two-Way Capability
  - 81.2.3 Recording Information
  - 81.2.4 Radio Communications Procedures
  - 81.2.5 Access to Resources
  - 81.2.6 Victim/Witness Calls
  - 81.2.7 Victim/Witness Requests for Information
  - 81.2.8 Recording and Playback
  - 81.2.9 Local/State/Federal CJJ Systems
  - 81.2.10 Alternative Methods of Communication
  - 81.2.11 Emergency Messages
  - 81.2.12 Misdirected Emergency Calls
  - 81.2.13 Private Security Alarms
  - 81.2.14 First Aid Over Phone
- 81.3 Facilities and Equipment
  - 81.3.1 Communications Center Security
  - 81.3.2 Alternate Power Source
  - 81.3.3 Telephone System
  - 81.3.4 Mobile/Portable Radios

## **82.0 Central Records**

- 82.1 Administration
  - 82.1.1 Privacy and Security
  - 82.1.2 Juvenile Records
  - 82.1.3 Records Retention Schedule
  - 82.1.4 UCR/NIBRS
  - 82.1.5 Report Accounting System
  - 82.1.6 Computer File Backup and Storage
  - 82.1.7 Computerized Security Protocol
- 82.2 Field Reporting and Management



- 82.2.1 Field Reporting System
- 82.2.2 Reporting Requirements
- 82.2.3 Case Numbering System
- 82.2.4 Report Distribution
- 82.2.5 Reports by Phone, Mail or Internet

### 82.3 Records

- 82.3.1 Master Name Index
- 82.3.2 Index File
- 82.3.3 Traffic Records System
- 82.3.4 Traffic Citation Maintenance
- 82.3.5 Operational Component Record
- 82.3.6 ID Number and Criminal History

## 83.0 Collection and Preservation of Evidence

### 83.1 Administration

- 83.1.1 24 Hour Availability

### 83.2 Operations

- 83.2.1 Guidelines and Procedures
- 83.2.2 Photography and Video Tapes
- 83.2.3 Fingerprinting
- 83.2.4 Equipment and Supplies
- 83.2.5 Procedures, Seizure of Computer Equipment
- 83.2.6 Report Preparation
- 83.2.7 DNA Evidence Collection

### 83.3 Evidence Handling

- 83.3.1 Collecting from Known Source
- 83.3.2 Evidence, Laboratory Submission

## 84.0 Property and Evidence Control

### 84.1 Administration and Operation

- 84.1.1 Evidence/Property Control System
- 84.1.2 Storage and Security
- 84.1.3 Temporary Security
- 84.1.4 Security of Controlled Substances, Weapons for Training
- 84.1.5 Records, Status of Property
- 84.1.6 Inspections and Reports
- 84.1.7 Final Disposition
- 84.1.8 Property Acquired through the Civil Process



conduct the search. The procedures should guide agency personnel in conducting strip and body cavity searches that will maximize safety, seize necessary evidence, and be considered reasonable by applicable judicial authority. (M M M M)

**1.2.9** *The agency has a written directive governing bias based profiling and, at a minimum, includes the following provisions:*

- a. a prohibition against bias based profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts;*
- b. training agency enforcement personnel in bias based profiling issues including legal aspects;*
- c. corrective measures if bias based profiling occurs; and*
- d. a documented annual administrative review of agency practices including citizen concerns.*

**Commentary:** Profiling, in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

Law enforcement agencies should not condone the use of any bias based profiling in its enforcement programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts, and may lead to claims of civil rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community, invites media scrutiny, invites legislative action, and invites judicial intervention.

Law enforcement personnel should focus on a person's conduct or other specific suspect information. They must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others. Annually, the agency should include profiling related training that should include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support. (M M M M)

### **1.3 Use of Force**

**1.3.1** *A written directive states personnel will use only the force necessary to accomplish lawful objectives.*

**Commentary:** None. (M M M M)

**1.3.2** *A written directive states that an officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury. Definitions of conditional terms, such as those for reasonable belief, serious physical injury, or similarly used terms that are used to qualify the directive, shall be included.*

**Commentary:** The intent of this standard is to establish a clear-cut agency policy on the use of deadly force that provides officers with guidance in the use of force in life-and-death situations and to prevent unnecessary loss of life. (M M M M)

**1.3.3** *A written directive governs the discharge of “warning” shots.*

**Commentary:** Generally, warning shots should be prohibited due to the potential for harm. If permitted, the circumstances under which they are utilized should be narrowly defined. (M M M M)

**1.3.4** *A written directive governs the use of authorized less lethal weapons by agency personnel.*

**Commentary:** None. (M M M M)

**1.3.5** *A written directive specifies procedures for ensuring the provision of appropriate medical aid after use of lethal or less lethal weapons, and other use of force incidents as defined by the agency.*

**Commentary:** The intent of this standard is to minimize the severity posed by obvious injuries or non-visible trauma commonly associated with some weaponless or hand-to-hand tactics. Such tactics may include neck holds, hard punches to the head, heart, or other vital organs, or restricting respiratory function. “Appropriate medical aid” does not place the burden on the agency to have each injured person immediately evaluated at a medical facility. “Appropriate medical aid” may include increased observation to detect obvious changes in condition, flushing chemical agents from the eyes, applying first aid, evaluation by paramedics, or for more serious or life threatening incidents, immediate aid by medical professionals. “Other use of force incidents as defined by the agency” may include procedures for the provision of medical aid to a person injured prior to contact with the agency, but the scope of this standard is limited to actions taken by agency personnel causing, or likely to cause injury. (M M M M)

**1.3.6** *A written report is submitted whenever an employee:*

- a. discharges a firearm, for other than training or recreational purposes;*
- b. takes an action that results in, or is alleged to have resulted in, injury or death of another person;*
- c. applies force through the use of lethal or less lethal weapons; or*
- d. applies weaponless physical force at a level as defined by the agency.*

**Commentary:** The intent of this standard is to establish use of force or response to resistance reporting systems within the agency for effective review and analysis (see standards 1.3.7 and 1.3.13). The reporting systems should help identify trends, improve training and employee safety, and provide timely information for the agency addressing use of force issues with the public. Early and accurate reporting helps establish agency credibility.

Software programs may be used to generate the necessary reporting elements of this standard or the agency may choose to use a variety of reporting methods to document use of force or response to resistance incidents, based on severity or other established criteria.

This standard could include documenting the pointing of weapons or using weaponless, hand-to-hand control techniques. These techniques include, but are not limited to: physical touching, gripping or holding, frisking, pain compliance measures, pressure point application, come-alongs, handcuffing, or other custodial procedures. It should be noted that some agencies have had success documenting this type of information, using a standard checklist report format associated with the arrest or incident report.

In deciding the threshold of when to generate a use of force or response to resistance report and how extensive the report needs to be, the agency should carefully examine all incidents wherein its employees have caused, or are alleged to have caused death or injury to another, have accidentally or intentionally discharged a firearm, or have applied weaponless force upon another to the extent it is likely to cause or lead to unforeseen injury, claim of injury, or allegations of excessive force, e.g., the use of neck holds, four point restraints (commonly referred to as the “hog-tie” restraint), punches, or kicks. The agency should also consider who is required to write reports when multiple employees were engaged in the same use of force incident.

If physically able, the primary employee involved should be required to verbally report his/her involvement within a specified time period. The verbal report should be committed to writing as soon as practical, thereafter. Written procedures should state by whom, when, and how the report will be submitted. The standard is not intended to document the display of weapons by employees or actions taken to euthanize animals. (M M M M)

**1.3.7** *The agency has a written procedure for an administrative review of each report required by standard 1.3.6.*

**Commentary:** None. (M M M M)

**1.3.8** *A written directive requires that any employee, whose action(s) or use of force in an official capacity results in death or serious physical injury, be removed from line-duty assignment, pending an administrative review.*

**Commentary:** The purpose of this standard is twofold: to protect the community’s interest when employees may have exceeded the scope of their authority in their actions or in their use of force and to shield employees who have not exceeded the scope of their authority from possible confrontations with the community.

The agency should consider removing from duty status all employees involved in a critical or traumatic incident, not limited to shootings, and may include incidents such as a fatal motor vehicle collision involving the employee. During the period of administrative leave or reassignment, the agency should consider provisions for post-incident debriefing or counseling for those employees involved. In some critical incidents, the employee’s family may also require assistance.

The removal process may have a detrimental effect on employees involved. Agencies may wish to routinely include a review of these procedures during in-service training sessions (see standard 1.3.11) to enhance understanding of this procedure. (M M M M)

**1.3.9** *A written directive requires that only weapons and ammunition authorized by the agency be used by agency personnel in law enforcement responsibilities. The directive shall apply to weapons and ammunition carried both on and off duty, and must address:*

- a. the types and specifications of all lethal and less lethal weapons approved for use, including those weapons used by members of tactical teams or other specialized personnel;*
- b. the types and specifications of ammunition approved for use, including ammunition used in specialized weapons for members of tactical teams or other specialized personnel;*
- c. the procedure for review, inspection, and approval of all weapons intended for use by each employee in the performance of duty, prior to carrying, by a qualified weapons instructor or armorer;*
- d. a process to remove unsafe weapons;*
- e. the procedure for maintaining a record on each weapon approved by the agency for official use; and*
- f. guidelines for the safe and proper storage of agency authorized firearms.*

**Commentary:** The intent of this standard is to establish strict agency control over all firearms, weapons, and ammunition it allows members to carry and use in the performance of their official duties, both on and/or off duty. Clear guidelines should be established for exact types and specifications of each category of weapon, including specialized weapons used by members of tactical teams or other specialized personnel. Written directives and the guidance provided through specific job descriptions should clearly describe the authority to carry and use weapons within the rules, regulations and laws established by local, regional, tribal, provincial, state or federal authority.

For firearms, the agency should establish an approval process. Each firearm should be identified, meet the agency's established criteria and be safe and in good working order. The user should demonstrate his or her proficiency in using the firearm on an approved qualifying course before being approved, in writing, by the agency, to carry and use the firearm. A certified firearms instructor or armorer should inspect and approve the firearm and oversee the proficiency testing.

A complete record of all weapons approved by the agency should be maintained. For firearms, the record should list the type, description, identifying model, and serial numbers of each firearm, as well as the identity of the owner or assignee. The record should also include the name of the official making the approval, the date of approval, the course fired, and all scores used to qualify the user on the demonstration of proficiency. All approvals should be conditional upon periodic requalification pursuant to procedures established to comply with standard 1.3.11. (M M M M)

**1.3.10** *A written directive requires that only agency personnel demonstrating proficiency in the use of agency-authorized weapons be approved to carry such weapons.*

**Commentary:** The intent of this standard is to cover the carrying and use, both on and off duty, of all weapons, such as handguns, shotguns, chemical sprays, or striking weapons (see standard 1.3.9). Demonstrated proficiency includes achieving minimum qualifying scores on a prescribed course; attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. (M M M M)

**1.3.11** *At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons and electronic controlled weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. In addition:*

- a. proficiency training must be monitored by a certified weapons or tactics instructor;*
- b. training and proficiency must be documented; and*
- c. the agency must have procedures for remedial training for those employees who are unable to qualify with an authorized weapon prior to resuming official duties.*

**Commentary:** Annual and biennial in-service use of force refresher training need not be as formal as entry level or recruit training. Use of force retraining can be accomplished through a combination of methods; for example, during shift briefing training sessions, reviewing legal updates on use of force issues, or conducting written or skills tests on use of force and less than lethal weapons during annual firearms qualifications courses. Proficiency levels should be established by the agency with input from certified weapons instructors or others in the agency that can validate the criteria. Demonstrated proficiency with less lethal weapons may consist of the same criteria used at entry level, or the course may be modified to either abbreviate or extend the training, based on the agency's experience with the weapon in the field.

The intent of bullet (c) is to ensure that remedial measures are provided, and that an employee failing to demonstrate proficiency with a weapon is not returned to duty with that weapon until such time as proficiency is demonstrated and documented.

Unless they are applied properly, neck restraints and other similar compliance techniques that rely on cutting off the flow of oxygen to the brain have the potential to cause serious injury or death. Therefore, any agency that authorizes the use of such techniques should ensure that its personnel are properly trained in the use of these techniques so that the possibility of injury is minimized. In addition to the initial training, the agency should also provide biennial refresher training to ensure that the skills required for proper application are maintained.

See also standard 33.5.1. Training should be commensurate with the limits and scope of the employees' job responsibilities, e.g., an agency property guard having no arrest authority may be issued a baton and chemical agent, but training proficiency need only cover defensive moves. The curriculum for sworn officers would be more extensive based on the scope of their authority to use force in making arrests. (M M M M)

**1.3.12** *A written directive requires that all agency personnel authorized to carry lethal and less lethal weapons be issued copies of and be instructed in the policies described in standards 1.3.1 through 1.3.5 before being authorized to carry a weapon. The issuance and instruction shall be documented.*

**Commentary:** None. (M M M M)

**1.3.13** *The agency conducts a documented annual analysis of those reports required by standard 1.3.6.*

**Commentary:** A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. (M M M M)



# **STANDARDS FOR LAW ENFORCEMENT AGENCIES**



A Management Improvement Model  
Through Accreditation

## **5th Edition**

**Commission on Accreditation for  
Law Enforcement Agencies, Inc.**

**July 2006**

# **STANDARDS FOR LAW ENFORCEMENT AGENCIES**

**The Standards Manual of  
the Law Enforcement Agency  
Accreditation Program**

**FIFTH EDITION**

**Commission on Accreditation  
for Law Enforcement Agencies, Inc.  
10302 Eaton Place, Suite 100  
Fairfax, VA 22030-2215**

## **LIMITATION OF LIABILITY**

The Commission on Accreditation for Law Enforcement Agencies, Inc., a Maryland corporation (“The Commission”), makes no warranty, express or implied, for the benefit of any person or entity with regard to any aspect of the standards contained herein. These standards were adopted for the sole use of the Commission for the exclusive purpose of their application to the agencies seeking to obtain or maintain accreditation, there being no intended third party beneficiaries hereof, express or implied. These standards shall in no way be construed to be an individual act of any Commissioner, director, employee, agent, member, individual, or legal entity associated with the Commission or otherwise be construed so as to create any personal liability on the part of any Commissioner, director, employee, agent, member, individual, or legal entity associated with the Commission.

# ACKNOWLEDGEMENTS

The Commission is deeply indebted to the 2003 Standards Review Task Force members who unselfishly gave of their time and energy to complete the top-to-bottom review of the *Standards for Law Enforcement Agencies* manual (fourth edition) approved in March 1998.

- Group 1 (Administration)
  - Michael French (chair), Chief, Goffstown (NH) Police Department
  - Thomas Hoffman, Deputy Chief (R), West Sacramento (CA) Police Department
  - Chris Fischer, Director, Valley Communications Center (WA)
  - Virgil Young, Special Agent (R), Federal Bureau of Investigation
  - Marilyn Stieneke, Cary (NC) Police Department
  - Dorris Certain, University Park (TX) Police Department
  - Harold T. LeMay, Program Manager, CALEA Staff
  - Christie L. Goddard, Program Manager, CALEA Staff
  
- Group 2 (Personnel)
  - Ronald Ferrell (chair), Chief, Mason (OH) Police Department
  - Dennis Bowman, Captain (R), Illinois State Police
  - Ray Johnson, Chief, Chesterfield (MO) Police Department
  - David Hobson, Kentucky Department of Criminal Justice Training
  - Jeanne Miller, Chief, Davidson (NC) Police Department
  - Dennis M. Hyater, Program Manager, CALEA Staff
  
- Group 3 (Operations)
  - James Carmody (chair), Major, Port Huron (MI) Police Department
  - Nancy Maiden, Virginia State Police
  - Daniel Boring, Chief, Culpeper (VA) Police Department
  - Edward Goodman, Commander, Rolling Meadows (IL) Police Department
  - Frederick Clauser, Chief (deceased), Barrington Hills (IL) Police Department
  - John Pickens, Chief, Arizona State University Department of Public Safety
  - Margaret A. Gant, former Program Manager, CALEA Staff
  
- Group 4 (Support)
  - Scott Cunningham (chair), Chief, Cary (NC) Police Department
  - Susan Kyzer, Director of Training, Florida Department of Law Enforcement
  - Susan Relihan, Arapahoe County (CO) Sheriff's Office
  - Susan Wales, Director of Planning, Salisbury (NC) Police Department
  - Larry Button, Chief Administrative Officer, Peel (ON) Regional Police Service
  - Philip Potter, Chief, Huntersville (NC) Police Department
  - Stephen W. Mitchell, Program Manager, CALEA Staff

Special thanks are extended to Commissioner Mary Ann Viverette and former Commissioner William D. Miller who served as co-chairs of the 2003 Standards Review Task Force. Karen Shepard, Program Manager, served as the CALEA Staff Liaison. The Commission also thanks the following former Commissioners:

Dorris Certain, University Park (TX) Police Department  
Jimmie Dotson, Chief (R), Chattanooga (TN) Police Department  
Stanley Glanz, Sheriff, Tulsa County (OK) Sheriff's Office  
Philip E. Keith, Chief (R), Knoxville (TN) Police Department

Patricia Ticer, Senator, Commonwealth of Virginia

2006 Board of Commission:

James O'Dell, President, Chief, Kettering (OH) Police Department  
Mary Ann Viverette, Vice President, Chief, Gaithersburg (MD) Police Department  
Robert Greenlaw, Secretary, Director, Northwest Bergen (NJ) Central Dispatch  
Patrick Oliver, Treasurer, Director, Cedarville University (OH) Criminal Justice Program  
Ron Ace, Chief (R), Concord (CA) Police Department  
Charles Austin, City Manager, Columbia (SC)  
Theron Bowman, Chief, Arlington (TX) Police Department  
Louis Dekmar, Chief, LaGrange (GA) Police Department  
Donald Eslinger, Sheriff, Seminole County (FL) Sheriff's Office  
John Glover, Vice President (R), Bristol-Myers Squibb Company (NY)  
Jack Greene, Professor, Northeastern University (MA) College of Criminal Justice  
Richard Holden, Colonel (R), North Carolina State Highway Patrol  
Ted Kamachus, Sheriff, Marshall County (IA) Sheriff's Office  
John LaFlamme, Chief (R), Lethbridge (AB) Police Service  
A. DeWade Langley, Director, Oklahoma State Bureau of Identification  
Joseph Polisar, Chief, Garden Grove (CA) Police Department  
James Robey, County Executive, Howard County (MD)  
J. Grayson Robinson, Sheriff, Arapahoe County (CO) Sheriff's Office  
Sam Sasaki, City Manager (R), Newport (OR)  
Rebecca Virgil-Giron, Secretary of State (NM)  
Grant Wegner, Judge, 16<sup>th</sup> Judicial Circuit (IL)

2006 Commission Staff:

Sylvester Daughtry, Jr., Executive Director  
James D. Brown, Associate Director  
Antonio T. Beatty, Administrative Services Manager  
Christie L. Goddard, Program Manager  
Dennis M. Hyater, Program Manager  
Harold T. LeMay, Program Manager  
Stephen W. Mitchell, Program Manager  
Karen B. Shepard, Program Manager  
Reginald Newell, Planning/Research Coordinator  
Linda L. Phillips, Information Technology Coordinator  
Elaine K. Conner, Contract Specialist  
Wendi G. Jones, Administrative Assistant  
Janice L. Dixon, Program Specialist  
Rhonda O. Garner, Executive Assistant to the Executive Director  
Margaret A. Giglio, Program Assistant  
Maya M. Mitchell, Program Assistant

# APPENDIX H

## STANDARD TITLES

### **1.0 Law Enforcement Role and Authority**

- 1.1 Law Enforcement Agency Role
  - 1.1.1 Oath of Office
  - 1.1.2 Code of Ethics
  - 1.1.3 Agency's Role in Criminal Justice Diversion Programs
  - 1.1.4 Consular Notification
- 1.2 Limits of Authority
  - 1.2.1 Legal Authority Defined
  - 1.2.2 Legal Authority to Carry/Use Weapons
  - 1.2.3 Compliance with Constitutional Requirements
  - 1.2.4 Search and Seizure
  - 1.2.5 Arrest with/without Warrant
  - 1.2.6 Alternatives to Arrest
  - 1.2.7 Use of Discretion
  - 1.2.8 Strip/Body Cavity Search
  - 1.2.9 Bias Based Profiling
- 1.3 Use of Force
  - 1.3.1 Use of Necessary Force
  - 1.3.2 Use of Deadly Force
  - 1.3.3 Warning Shots
  - 1.3.4 Use of Authorized Less Lethal Weapons
  - 1.3.5 Rendering Aid After Use of Weapons
  - 1.3.6 Reporting Uses of Force
  - 1.3.7 Reviewing Reports of 1.3.6
  - 1.3.8 Removal from Line of Duty Assignment, Use of Force
  - 1.3.9 Authorization: Weapons and Ammunition
  - 1.3.10 Demonstrating Proficiency with Weapons
  - 1.3.11 Annual/Biennial Proficiency Training
  - 1.3.12 Issuing Written Directives
  - 1.3.13 Analyze Reports from 1.3.6

### **2.0 Agency Jurisdiction and Mutual Aid**

- 2.1 Agency Jurisdiction and Mutual Aid

- 2.1.1 Geographical Boundaries
- 2.1.2 Concurrent Jurisdiction
- 2.1.3 Written Agreements for Mutual Aid
- 2.1.4 Requesting Assistance: Federal LE/National Guard

### **3.0 Contractual Agreements for Law Enforcement Services**

- 3.1 Contractual Agreements
  - 3.1.1 Written Agreement for Services Provided
  - 3.1.2 Employee Rights

### **11.0 Organization and Administration**

- 11.1 Organizational Structure
  - 11.1.1 Description of Organization
  - 11.1.2 Organizational Chart
- 11.2 Unity of Command
  - 11.2.1 Employee Accountability
  - 11.2.2 Direct Command, Component
- 11.3 Authority and Responsibility
  - 11.3.1 Responsibility/Authority
  - 11.3.2 Supervisory Accountability
- 11.4 General Management and Administration
  - 11.4.1 Administrative Reporting Program
  - 11.4.2 Accountability for Agency Forms
  - 11.4.3 Accreditation Maintenance
  - 11.4.4 Computer Software Policy
  - 11.4.5 Notify CEO of Incident with Liability

### **12.0 Direction**

- 12.1 Direction
  - 12.1.1 CEO Authority and Responsibility
  - 12.1.2 Command Protocol
  - 12.1.3 Obey Lawful Orders
  - 12.1.4 Functional Communication/Cooperation
- 12.2 Written Directives
  - 12.2.1 The Written Directive System
  - 12.2.2 Dissemination and Storage

## **15.0 Planning and Research, Goals and Objectives, and Crime Analysis**

- 15.1 Planning and Research
  - 15.1.1 Activities of Planning and Research
  - 15.1.2 Organizational Placement/Planning and Research
  - 15.1.3 Multiyear Plan
- 15.2 Goals and Objectives
  - 15.2.1 Annual Updating/Goals and Objectives
  - 15.2.2 System for Evaluation/Goals and Objectives
- 15.3 Crime Analysis
  - 15.3.1 Establish Procedures

## **16.0 Allocation and Distribution of Personnel and Personnel Alternatives**

- 16.1 Allocation and Distribution of Personnel
  - 16.1.1 Position Management System
  - 16.1.2 Workload Assessments
- 16.2 Specialized Assignment
  - 16.2.1 Annual Review
  - 16.2.2 Announce Openings
  - 16.2.3 Temporary/Rotating Assignments
- 16.3 Reserves
  - 16.3.1 Program Description
  - 16.3.2 Selection Criteria
  - 16.3.3 Entry Level Training
  - 16.3.4 Uniforms and Equipment
  - 16.3.5 In-Service Training
  - 16.3.6 Use of Force Training & Firearms Proficiency
  - 16.3.7 Bonding/Liability Protection
  - 16.3.8 Performance Evaluations
- 16.4 Auxiliaries
  - 16.4.1 Program Description
  - 16.4.2 Training
  - 16.4.3 Uniforms

## **17.0 Fiscal Management and Agency Property**

- 17.1 Fiscal Management
  - 17.1.1 CEO Authority and Responsibility



- 17.2 Budget
  - 17.2.1 Budget Process and Responsibility Described
  - 17.2.2 Functional Recommendations to Budget
- 17.3 Purchasing
  - 17.3.1 Requisition and Purchasing Procedures
- 17.4 Accounting
  - 17.4.1 Accounting System
  - 17.4.2 Cash Fund/Accounts Maintenance
  - 17.4.3 Independent Audit
- 17.5 Agency Property
  - 17.5.1 Inventory and Control
  - 17.5.2 Issue/Reissue Procedures
  - 17.5.3 Operational Readiness

**21.0 Classification and Delineation of Duties and Responsibilities**

- 21.1 Task Analysis
  - 21.1.1 Task Analysis
- 21.2 Classification
  - 21.2.1 Classification Plan
  - 21.2.2 Job Description Maintenance and Availability

**22.0 Compensation, Benefits, and Conditions of Work**

- 22.1 Compensation
  - 22.1.1 Salary Program
- 22.2 Benefits
  - 22.2.1 Leave Program
  - 22.2.2 Benefits Program
  - 22.2.3 Personnel Support Services Program
  - 22.2.4 Victim Witness Services/Line of Duty Death
  - 22.2.5 Clothing and Equipment
  - 22.2.6 Employee Assistance Program
  - 22.2.7 Employee Identification
- 22.3 Conditions of Work
  - 22.3.1 Physical Examinations
  - 22.3.2 General Health and Physical Fitness
  - 22.3.3 Off-Duty Employment

22.3.4 Extra-Duty Employment

## **24.0 Collective Bargaining**

24.1 Collective Bargaining and Contract Management

24.1.1 Agency Role

24.1.2 Ratification Responsibilities

## **25.0 Grievance Procedures**

25.1 Grievance Procedures

25.1.1 Grievance Procedures

25.1.2 Coordination/Control of Records

25.1.3 Annual Analysis

## **26.0 Disciplinary Procedures**

26.1 Disciplinary Procedures

26.1.1 Code of Conduct and Appearance

26.1.2 Employee Awards

26.1.3 Sexual Harassment

26.1.4 Disciplinary System

26.1.5 Role and Authority of Supervisors

26.1.6 Appeal Procedures

26.1.7 Dismissal Procedures

26.1.8 Records

## **31.0 Recruitment**

31.1 Administrative Practices and Procedures

31.1.1 Agency Participation

31.1.2 Assignment/Recruitment

31.2 Equal Employment Opportunity and Recruitment

31.2.1 Work Force Analysis

31.2.2 Recruitment Plan

31.2.3 Equal Employment Opportunity Plan

31.3 Job Announcements and Publicity

31.3.1 Job Announcements

31.3.2 Posting Locations

31.3.3 Maintaining Applicant Contact

31.3.4 Application Rejection

## **32.0 Selection**

- 32.1 Professional and Legal Requirements
  - 32.1.1 Selection Process Described
  - 32.1.2 Job Relatedness
  - 32.1.3 Uniform Administration
  - 32.1.4 Candidate Information
  - 32.1.5 Notification of Ineligibility
  - 32.1.6 Records
  - 32.1.7 Selection Material Security
- 32.2 Administrative Practices and Procedures
  - 32.2.1 Background Investigations
  - 32.2.2 Training
  - 32.2.3 Records Retention
  - 32.2.4 Polygraph Examinations
  - 32.2.5 Conducted by Trained Personnel
  - 32.2.6 Use of Results
  - 32.2.7 Medical Examinations
  - 32.2.8 Emotional Stability/Psychological Fitness Examinations
  - 32.2.9 Records Retention
  - 32.2.10 Entry Level Probation

## **33.0 Training and Career Development**

- 33.1 Administration
  - 33.1.1 Training Committee
  - 33.1.2 Attendance Requirements
  - 33.1.3 Outside Training Reimbursement
  - 33.1.4 Lesson Plan Requirements
  - 33.1.5 Remedial Training
  - 33.1.6 Employee Training Record Maintenance
  - 33.1.7 Training Class Records Maintenance
- 33.2 Academy
  - 33.2.1 Academy Administration and Operation
  - 33.2.2 Academy Facilities
  - 33.2.3 Outside Academy, Role
  - 33.2.4 Outside Academy, Agency Specific Training
- 33.3 Training Instructors
  - 33.3.1 Instructor Training

- 33.4 Recruit Training
  - 33.4.1 Entry Level Training Required
  - 33.4.2 Recruit Training Program
  - 33.4.3 Field Training Program
- 33.5 In-Service, Shift Briefing, and Advanced Training
  - 33.5.1 Annual Retraining Program
  - 33.5.2 Shift Briefing Training
  - 33.5.3 Accreditation Training
  - 33.5.4 Accreditation Manager Training
- 33.6 Specialized In-Service Training
  - 33.6.1 Specialized Training
  - 33.6.2 Tactical Team Training Program
- 33.7 Civilian Training
  - 33.7.1 Civilian Orientation
  - 33.7.2 Civilian Pre-Service and In-Service Training
- 33.8 Career Development
  - 33.8.1 Career Development Personnel Training
  - 33.8.2 Skill Development Training Upon Promotion
  - 33.8.3 Career Development Program
- 34.0 Promotion**
  - 34.1 Professional and Legal Requirements
    - 34.1.1 Agency Role
    - 34.1.2 Authority and Responsibility
    - 34.1.3 Promotional Process Described
    - 34.1.4 Job Relatedness
    - 34.1.5 Promotional Announcement
    - 34.1.6 Eligibility Lists
    - 34.1.7 Promotional Probation
- 35.0 Performance Evaluation**
  - 35.1 Administration
    - 35.1.1 Performance Evaluation System
    - 35.1.2 Annual Evaluation
    - 35.1.3 Quarterly Evaluation of Probationary Employees
    - 35.1.4 Evaluation Criteria
    - 35.1.5 Evaluation Period
    - 35.1.6 Unsatisfactory Performance

- 35.1.7 Employee Counseling
- 35.1.8 Rater Evaluation
- 35.1.9 Personnel Early Warning System

## **41.0 Patrol**

- 41.1 Administration
  - 41.1.1 Shift/Beat Assignment
  - 41.1.2 Shift Briefing
  - 41.1.3 Special-Purpose Vehicles
  - 41.1.4 Agency Animals
- 41.2 Operations
  - 41.2.1 Responding Procedures
  - 41.2.2 Pursuit of Motor Vehicles
  - 41.2.3 Roadblocks and Forcible Stopping
  - 41.2.4 Notification Procedures
  - 41.2.5 Missing Persons
  - 41.2.6 Missing Children
  - 41.2.7 Mental Illness
- 41.3 Equipment
  - 41.3.1 Patrol Vehicles Lights, Sirens
  - 41.3.2 Equipment Specification/Replenishment
  - 41.3.3 Occupant Safety Restraints
  - 41.3.4 Authorized Personal Equipment
  - 41.3.5 Protective Vests
  - 41.3.6 Protective Vests/Pre-Planned, High Risk Situations
  - 41.3.7 Mobile Data Access
  - 41.3.8 In-Car Audio/Video

## **42.0 Criminal Investigation**

- 42.1 Administration
  - 42.1.1 On-Call Schedule
  - 42.1.2 Case-Screening System
  - 42.1.3 Case File Management
  - 42.1.4 Accountability, Preliminary/Follow-Up Investigations
  - 42.1.5 Habitual/Serious Offenders
  - 42.1.6 Criminal Intelligence
- 42.2 Operations
  - 42.2.1 Preliminary Investigations Steps
  - 42.2.2 Follow-Up Investigations Steps

- 42.2.3 Investigative Checklists
- 42.2.4 Patrol Shift Briefing Attendance
- 42.2.5 Investigative Task Forces
- 42.2.6 Polygraph Examinations
- 42.2.7 Informants
- 42.2.8 Identity Crimes
- 42.2.9 Cold Cases
- 42.2.10 Interview Rooms
- 42.2.11 Line-ups
- 42.2.12 Show-ups

### **43.0 Vice, Drugs, and Organized Crime**

- 43.1 Administration and Operations
  - 43.1.1 Complaint Management
  - 43.1.2 Records, Storage and Security
  - 43.1.3 Confidential Funds
  - 43.1.4 Equipment, Authorization and Control
  - 43.1.5 Covert Operations

### **44.0 Juvenile Operations**

- 44.1 Administration
  - 44.1.1 Juvenile Operations Policy
  - 44.1.2 Policy Input, Others
  - 44.1.3 Annual Program Review
- 44.2 Operations
  - 44.2.1 Handling Offenders
  - 44.2.2 Procedures for Custody
  - 44.2.3 Custodial Interrogation
  - 44.2.4 School Liaison Program
  - 44.2.5 Community Recreation Programs

### **45.0 Crime Prevention and Community Involvement**

- 45.1 Crime Prevention
  - 45.1.1 Activities
  - 45.1.2 Organizing Prevention Groups
  - 45.1.3 Prevention Input
- 45.2 Community Involvement
  - 45.2.1 Activities
  - 45.2.2 Quarterly Progress Report

- 45.2.3 Procedures for Transmitting Information
- 45.2.4 Citizens Survey
- 45.2.5 Survey Summary to CEO

## **46.0 Critical Incidents, Special Operations, and Homeland Security**

- 46.1 Critical Incidents
  - 46.1.1 Planning Responsibility
  - 46.1.2 All Hazard Plan
  - 46.1.3 Command Function
  - 46.1.4 Operations Function
  - 46.1.5 Planning Function
  - 46.1.6 Logistics Function
  - 46.1.7 Finance/Administration Function
  - 46.1.8 Equipment Inspection
  - 46.1.9 Annual Training
- 46.2 Special Operations
  - 46.2.1 Special Operations Activities
  - 46.2.2 Tactical Team Selection
  - 46.2.3 Tactical Team Equipment
  - 46.2.4 Hostage Negotiator Selection
  - 46.2.5 Search and Rescue
  - 46.2.6 VIP Security Plan
  - 46.2.7 Special Events Plan
- 46.3 Homeland Security
  - 46.3.1 Liaison with other Organizations
  - 46.3.2 Terrorism Related Intelligence
  - 46.3.3 Providing Awareness Information
  - 46.3.4 Hazmat Awareness

## **52.0 Internal Affairs**

- 52.1 Organizational Integrity
  - 52.1.1 Complaint Investigation
  - 52.1.2 Records, Maintenance and Security
  - 52.1.3 CEO, Direct Accessibility
  - 52.1.4 Complaint Registering Procedures
  - 52.1.5 Annual Summaries; Public Availability
- 52.2 Complaint Procedures
  - 52.2.1 Complaint Types
  - 52.2.2 CEO, Notification
  - 52.2.3 Investigation Time Limits

- 52.2.4 Informing Complainant
- 52.2.5 Statement of Allegations/Rights
- 52.2.6 Submission to Tests, Procedures
- 52.2.7 Relieved from Duty
- 52.2.8 Conclusion of Fact

### **53.0 Inspectional Services**

- 53.1 Line Inspections
  - 53.1.1 Procedures
- 53.2 Staff Inspections
  - 53.2.1 Procedures

### **54.0 Public Information**

- 54.1 Public Information
  - 54.1.1 Activities
  - 54.1.2 Policy Input
  - 54.1.3 News Media Access

### **55.0 Victim/Witness Assistance**

- 55.1 Administration
  - 55.1.1 Summary of Rights
  - 55.1.2 Analysis, Need/Services
  - 55.1.3 Policy/Procedure Development
- 55.2 Operations
  - 55.2.1 Initial Assistance
  - 55.2.2 Assistance, Threats
  - 55.2.3 Assistance, Preliminary Investigation
  - 55.2.4 Assistance, Follow-Up Investigation
  - 55.2.5 Assistance, Suspect Arrest
  - 55.2.6 Next-of-Kin Notification

### **61.0 Traffic**

- 61.1 Traffic Enforcement
  - 61.1.1 Selective Enforcement Activities
  - 61.1.2 Uniform Enforcement Procedures
  - 61.1.3 Violator Procedures
  - 61.1.4 Informing The Violator



- 61.1.5 Uniform Enforcement Policies
- 61.1.6 Enforcement Practices
- 61.1.7 Stopping/Approaching
- 61.1.8 Officer-Violator Relations
- 61.1.9 Speed-Measuring Devices
- 61.1.10 Alcohol Enforcement Program
- 61.1.11 DUI Procedures
- 61.1.12 License Reexamination Referrals
- 61.1.13 Parking Enforcement
  
- 61.2 Traffic Collision Investigation
  - 61.2.1 Reporting and Investigation
  - 61.2.2 Collision Scene Responses
  - 61.2.3 Collision Scene Duties
  - 61.2.4 Follow-Up Investigations
  
- 61.3 Traffic Direction and Control
  - 61.3.1 Traffic Engineering
  - 61.3.2 Direction/Control Procedures
  - 61.3.3 Escorts
  - 61.3.4 Adult School Crossing Guards
  - 61.3.5 Student Safety Patrol Program
  - 61.3.6 Local/Region Planning Committees
  
- 61.4 Ancillary Services
  - 61.4.1 Assistance, Highway Users
  - 61.4.2 Hazardous Highway Conditions
  - 61.4.3 Towing
  - 61.4.4 Traffic Safety Materials

## **70.0 Detainee Transportation**

- 70.1 Transport Operations
  - 70.1.1 Pre-Transport Prisoner Searches
  - 70.1.2 Searching Transport Vehicles
  - 70.1.3 Procedures, Transporting by Vehicle
  - 70.1.4 Interruption of Transport
  - 70.1.5 Prisoner Communication
  - 70.1.6 Procedures, Transport Destination
  - 70.1.7 Procedures, Escape
  - 70.1.8 Notify Court of Security Hazard
  
- 70.2 Restraining Devices
  - 70.2.1 Prisoner Restraint Requirement

- 70.3 Special Transport Situations
  - 70.3.1 Sick, Injured, Disabled
  - 70.3.2 Hospital Security and Control
  - 70.3.3 Special Situations
- 70.4 Transport Equipment
  - 70.4.1 Vehicle Safety Barriers
  - 70.4.2 Rear Compartment Modifications
- 70.5 Documentation
  - 70.5.1 Prisoner ID and Documentation

## **71.0 Processing and Temporary Detention**

- 71.1 Authorization
  - 71.1.1 Designate Rooms or Areas
- 71.2 Training
  - 71.2.1 Training of Personnel
- 71.3 Detainee Processing and Control
  - 71.3.1 Procedures
  - 71.3.2 Immovable Objects
  - 71.3.3 Security
- 71.4 Temporary Detention Facility Conditions
  - 71.4.1 Physical Conditions
  - 71.4.2 Fire Prevention/Suppression
  - 71.4.3 Inspections
- 71.5 Processing and Testing
  - 71.5.1 Security Concerns in Designated Processing or Testing Rooms/Areas

## **72.0 Holding Facility**

- 72.1 Organization, Administration, and Management
  - 72.1.1 Training User Personnel
  - 72.1.2 Access, Nonessential Persons
  - 72.1.3 Records Security
- 72.2 Physical Plant
  - 72.2.1 Minimum Conditions

- 72.3 Safety and Sanitation
  - 72.3.1 Fire, Heat, Smoke Detection System, Inspections
  - 72.3.2 Posted Evacuation Plan
  - 72.3.3 Weekly Sanitation Inspection
- 72.4 Security and Control
  - 72.4.1 Securing Firearms
  - 72.4.2 Entering Occupied Cells
  - 72.4.3 Key Control
  - 72.4.4 Facility Door Security
  - 72.4.5 Security Checks
  - 72.4.6 Security Inspections
  - 72.4.7 Tool and Culinary Equipment
  - 72.4.8 Alerting Control Point
  - 72.4.9 Panic Alarms
  - 72.4.10. Procedures, Escape
  - 72.4.11 Report, Threats to Facility
- 72.5 Detainee Processing
  - 72.5.1 Detainee Searches
  - 72.5.2 Intake Forms
  - 72.5.3 Sight and Sound Separation
  - 72.5.4 Segregation
  - 72.5.5 Procedure, Outside Detainees
  - 72.5.6 Procedure, Exceeding Capacity
  - 72.5.7 Identification, Released Detainees
- 72.6 Medical and Health Care Services
  - 72.6.1 Procedure, Medical Assistance
  - 72.6.2 First Aid Kit
  - 72.6.3 Receiving-Screening Information
  - 72.6.4 Posted Access to Medical Service
  - 72.6.5 Dispensing Pharmaceuticals
- 72.7 Detainee Rights
  - 72.7.1 Procedure, Detainee Rights
- 72.8 Supervision of Detainees
  - 72.8.1 24-Hour Supervision
  - 72.8.2 Audio/Visual Surveillance
  - 72.8.3 Supervision, Opposite Sex
  - 72.8.4 Receiving Mail/Packages
  - 72.8.5 Visiting

- 73.0 Court Security**
  - 73.1 Administration
    - 73.1.1 Role, Authority, Policies
  - 73.2 Operations
    - 73.2.1 Facilities, Equipment, Security Survey
  - 73.3 Security Policy and Procedures
    - 73.3.1 Weapon Lockboxes
    - 73.3.2 Use of Restraints
  - 73.4 Equipment
    - 73.4.1 Identification, Availability, Operational Readiness
    - 73.4.2 External Communications
    - 73.4.3 Duress Alarms
  - 73.5 Court Holding Facilities
    - 73.5.1 Training
    - 73.5.2 Detainee Searches
    - 73.5.3 Detainee Property Security
    - 73.5.4 Segregation
    - 73.5.5 Procedure for Medical Assistance
    - 73.5.6 First Aid Kit
    - 73.5.7 Access of Nonessential Persons
    - 73.5.8 Minimum Conditions
    - 73.5.9 Fire Alarm System
    - 73.5.10 Evacuation Plan
    - 73.5.11 Sanitation Inspection
    - 73.5.12 Securing Firearms
    - 73.5.13 Entering Occupied Cells
    - 73.5.14 Key Control
    - 73.5.15 Facility Door Security
    - 73.5.16 Security Checks
    - 73.5.17 Security Inspections
    - 73.5.18 Designated Control Point
    - 73.5.19 Panic Alarms
    - 73.5.20 Escape Procedures
    - 73.5.21 Report of Threats to Facility
    - 73.5.22 Posted Access to Medical Service
    - 73.5.23 Audio/Visual Surveillance
    - 73.5.24 Supervision of Opposite Sex

## **74.0 Legal Process**

### **74.1 Records**

- 74.1.1 Information, Recording
- 74.1.2 Execution/Attempt Service, Recording
- 74.1.3 Warrant/Wanted Person Procedures

### **74.2 Civil Process**

- 74.2.1 Procedure, Civil Service

### **74.3 Criminal Process**

- 74.3.1 Procedure, Criminal Process
- 74.3.2 Arrest Warrants Require Sworn Service

## **81.0 Communications**

### **81.1 Administration**

- 81.1.1 Agreements, Shared/Regional Facility
- 81.1.2 Operations Meet FCC Requirements

### **81.2 Operations**

- 81.2.1 24 Hour, Toll-Free Service
- 81.2.2 Continuous, Two-Way Capability
- 81.2.3 Recording Information
- 81.2.4 Radio Communications Procedures
- 81.2.5 Access to Resources
- 81.2.6 Victim/Witness Calls
- 81.2.7 Victim/Witness Requests for Information
- 81.2.8 Recording and Playback
- 81.2.9 Local/State/Federal CJI Systems
- 81.2.10 Alternative Methods of Communication
- 81.2.11 Emergency Messages
- 81.2.12 Misdirected Emergency Calls
- 81.2.13 Private Security Alarms
- 81.2.14 First Aid Over Phone

### **81.3 Facilities and Equipment**

- 81.3.1 Communications Center Security
- 81.3.2 Alternate Power Source
- 81.3.3 Telephone System
- 81.3.4 Mobile/Portable Radios

## **82.0 Central Records**

- 82.1 Administration
  - 82.1.1 Privacy and Security
  - 82.1.2 Juvenile Records
  - 82.1.3 Records Retention Schedule
  - 82.1.4 UCR/NIBRS
  - 82.1.5 Report Accounting System
  - 82.1.6 Computer File Backup and Storage
  - 82.1.7 Computerized Security Protocol
- 82.2 Field Reporting and Management
  - 82.2.1 Field Reporting System
  - 82.2.2 Reporting Requirements
  - 82.2.3 Case Numbering System
  - 82.2.4 Report Distribution
  - 82.2.5 Reports by Phone, Mail or Internet
- 82.3 Records
  - 82.3.1 Master Name Index
  - 82.3.2 Index File
  - 82.3.3 Traffic Records System
  - 82.3.4 Traffic Citation Maintenance
  - 82.3.5 Operational Component Record
  - 82.3.6 ID Number and Criminal History

## **83.0 Collection and Preservation of Evidence**

- 83.1 Administration
  - 83.1.1 24 Hour Availability
- 83.2 Operations
  - 83.2.1 Guidelines and Procedures
  - 83.2.2 Photography and Video Tapes
  - 83.2.3 Fingerprinting
  - 83.2.4 Equipment and Supplies
  - 83.2.5 Procedures, Seizure of Computer Equipment
  - 83.2.6 Report Preparation
  - 83.2.7 DNA Evidence Collection
- 83.3 Evidence Handling
  - 83.3.1 Collecting from Known Source
  - 83.3.2 Evidence, Laboratory Submission

## **84.0 Property and Evidence Control**

84.1 Administration and Operation

84.1.1 Evidence/Property Control System

84.1.2 Storage and Security

84.1.3 Temporary Security

84.1.4 Security of Controlled Substances, Weapons for Training

84.1.5 Records, Status of Property

84.1.6 Inspections and Reports

84.1.7 Final Disposition

84.1.8 Property Acquired through the Civil Process

## DEDICATION

We dedicate this 5<sup>th</sup> Edition of Standards for Law Enforcement Agencies to the memory of our dear friend Chief Fredrick J. Clauser of the Barrington Hills (IL) Police Department. Fred was one of CALEA's greatest supporters as the Chief Executive Officer of a client agency, as an outstanding team leader and assessor, and a key member of each review task force of our standards. He will be greatly missed as a friend, colleague, and outstanding professional in the Law Enforcement Profession. Our thoughts and prayers are with his family.



## PREFACE

The Standards Manual, *Standards for Law Enforcement Agencies* (SLEA), is the principal publication of the Commission on Accreditation for Law Enforcement Agencies, Inc (CALEA®). The first edition of the Standards Manual was issued in August 1983; the second edition, in May 1987; the third edition, in April 1994; the fourth edition, in January 1999; and the fifth edition in July 2006. The edition changes trace the evolution of the standards and the Commission's efforts to offer useful and relevant standards that are representative of the "best professional practices" for law enforcement agencies everywhere.

The *CALEA Process and Programs Guide* (CPPG) explain the accreditation process, detail aspects of the self-assessment phase, describe the role of assessors, and provide answers to frequently asked questions.

The *Accreditation Program Overview* (APO) provides general information about the background of law enforcement accreditation; CALEA and the Commissioners; the benefits of accreditation; costs of accreditation; eligibility for accreditation; and enrollment procedures.

The *Standards for Public Safety Communications Agencies* (SPSCA) is a separate collection of standards established for public safety communications agencies. The standards are used in CALEA®'s Communications Accreditation Program, developed jointly by CALEA® and APCO (The Association of Public-safety Communications Officials-International, Inc.).

The *Standards for Public Safety Training Academies* (SPSTA) is a separate collection of standards established for public safety training academies.

The publications may be ordered from:

Commission on Accreditation for  
Law Enforcement Agencies, Inc.  
10302 Eaton Place, Suite 100  
Fairfax, Virginia 22030-2215  
Toll Free: (800) 368-3757  
Fax: (703) 591-2206  
e-mail: [calea@calea.org](mailto:calea@calea.org)

# CONTENTS

INTRODUCTION		xv
<b>CHAPTERS 1-3</b>	<b>LAW ENFORCEMENT ROLE, RESPONSIBILITIES, AND RELATIONSHIPS</b>	
CHAPTER 1	LAW ENFORCEMENT ROLE AND AUTHORITY	
	1.1 Law Enforcement Agency Role	1-2
	1.2 Limits of Authority	1-3
	1.3 Use of Force	1-6
CHAPTER 2	AGENCY JURISDICTION AND MUTUAL AID	
	2.1 Agency Jurisdiction and Mutual Aid	2-1
CHAPTER 3	CONTRACTUAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES	
	3.1 Contractual Agreements	3-1
<b>CHAPTERS 11-17</b>	<b>ORGANIZATION, MANAGEMENT, AND ADMINISTRATION</b>	
CHAPTER 11	ORGANIZATION AND ADMINISTRATION	
	11.1 Organizational Structure	11-1
	11.2 Unity of Command	11-2
	11.3 Authority and Responsibility	11-2
	11.4 General Management and Administration	11-2
CHAPTER 12	DIRECTION	
	12.1 Direction	12-1
	12.2 Written Directives	12-2
CHAPTER 13	<i>[Reserved]</i>	
CHAPTER 14	<i>[Reserved]</i>	
CHAPTER 15	PLANNING AND RESEARCH, GOALS AND OBJECTIVES, AND CRIME ANALYSIS	
	15.1 Planning and Research	15-1
	15.2 Goals and Objectives	15-2
	15.3 Crime Analysis	15-2

CHAPTER 16	ALLOCATION AND DISTRIBUTION OF PERSONNEL AND PERSONNEL ALTERNATIVES	
	16.1 Allocation and Distribution of Personnel	16-2
	16.2 Specialized Assignments	16-3
	16.3 Reserves	16-4
	16.4 Auxiliaries	16-6
CHAPTER 17	FISCAL MANAGEMENT AND AGENCY PROPERTY	
	17.1 Fiscal Management	17-2
	17.2 Budget	17-2
	17.3 Purchasing	17-2
	17.4 Accounting	17-3
	17.5 Agency Property	17-4
<b>CHAPTERS 21-26</b>	<b>THE PERSONNEL STRUCTURE</b>	
CHAPTER 21	CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES	
	21.1 Task Analysis	21-1
	21.2 Classification	21-2
CHAPTER 22	COMPENSATION, BENEFITS, AND CONDITIONS OF WORK	
	22.1 Compensation	22-1
	22.2 Benefits	22-2
	22.3 Conditions of Work	22-5
CHAPTER 23	<i>[Reserved]</i>	
CHAPTER 24	COLLECTIVE BARGAINING	
	24.1 Collective Bargaining and Contract Management	24-1
CHAPTER 25	GRIEVANCE PROCEDURES	
	25.1 Grievance Procedures	25-1
CHAPTER 26	DISCIPLINARY PROCEDURES	
	26.1 Disciplinary Procedures	26-1

**CHAPTERS 31-35 THE PERSONNEL PROCESS**

**CHAPTER 31 RECRUITMENT**

- 31.1 Administrative Practices and Procedures 31-2
- 31.2 Equal Employment Opportunity and Recruitment 31-2
- 31.3 Job Announcements and Publicity 31-3

**CHAPTER 32 SELECTION**

- 32.1 Professional and Legal Requirements 32-1
- 32.2 Administrative Practices and Procedures 32-3

**CHAPTER 33 TRAINING AND CAREER DEVELOPMENT**

- 33.1 Administration 33-2
- 33.2 Academy 33-3
- 33.3 Training Instructors 33-5
- 33.4 Recruit Training 33-5
- 33.5 In-service, Shift Briefing, and Advanced Training 33-6
- 33.6 Specialized In-service Training 33-8
- 33.7 Civilian Training 33-9
- 33.8 Career Development 33-9

**CHAPTER 34 PROMOTION**

- 34.1 Professional and Legal Requirements 34-1

**CHAPTER 35 PERFORMANCE EVALUATION**

- 35.1 Administration 35-1

**CHAPTERS 41-46 LAW ENFORCEMENT OPERATIONS**

**CHAPTER 41 PATROL**

- 41.1 Administration 41-1
- 41.2 Operations 41-2
- 41.3 Equipment 41-5

**CHAPTER 42 CRIMINAL INVESTIGATION**

- 42.1 Administration 42-1
- 42.2 Operations 42-4

CHAPTER 43	VICE, DRUGS, AND ORGANIZED CRIME	
	43.1 Administration and Operations	43-1
CHAPTER 44	JUVENILE OPERATIONS	
	44.1 Administration	44-2
	44.2 Operations	44-2
CHAPTER 45	CRIME PREVENTION AND COMMUNITY INVOLVEMENT	
	45.1 Crime Prevention	45-2
	45.2 Community Involvement	45-3
CHAPTER 46	CRITICAL INCIDENTS, SPECIAL OPERATIONS AND HOMELAND SECURITY	
	46.1 Critical Incidents	46-2
	46.2 Special Operations	46-4
	46.3 Homeland Security	46-6
CHAPTERS 51-55	OPERATIONS SUPPORT	
CHAPTER 51	[Reserved]	
CHAPTER 52	INTERNAL AFFAIRS	
	52.1 Organizational Integrity	52-1
	52.2 Complaint Procedures	52-2
CHAPTER 53	INSPECTIONAL SERVICES	
	53.1 Line Inspections	53-2
	53.2 Staff Inspections	53-2
CHAPTER 54	PUBLIC INFORMATION	
	54.1 Public Information	54-1
CHAPTER 55	VICTIM/WITNESS ASSISTANCE	
	55.1 Administration	55-2
	55.2 Operations	55-3

**CHAPTER 61 TRAFFIC OPERATIONS**

**CHAPTER 61 TRAFFIC**

61.1	Traffic Enforcement	61-2
61.2	Traffic Collision Investigation	61-6
61.3	Traffic Direction and Control	61-8
61.4	Ancillary Services	61-10

**CHAPTERS 70-74 DETAINEE AND COURT-RELATED ACTIVITIES**

**CHAPTER 70 DETAINEE TRANSPORTATION**

70.1	Transport Operations	70-1
70.2	Restraining Devices	70-4
70.3	Special Transport Situations	70-4
70.4	Transport Equipment	70-5
70.5	Documentation	70-6

**CHAPTER 71 PROCESSING AND TEMPORARY DETENTION**

71.1	Authorization	71-2
71.2	Training	71-2
71.3	Detainee Processing and Control	71-3
71.4	Temporary Detention Facility Conditions	71-4
71.5	Processing and Testing	71-5

**CHAPTER 72 HOLDING FACILITY**

72.1	Organization, Administration, and Management	72-1
72.2	Physical Plant	72-2
72.3	Safety and Sanitation	72-2
72.4	Security and Control	72-3
72.5	Detainee Processing	72-4
72.6	Medical and Health Care Services	72-6
72.7	Detainee Rights	72-7
72.8	Supervision of Detainees	72-8

**CHAPTER 73 COURT SECURITY**

73.1	Administration	73-1
73.2	Operations	73-2
73.3	Security Policy and Procedures	73-2
73.4	Equipment	73-3
73.5	Court Holding Facilities	73-4

<b>CHAPTER 74</b>	<b>LEGAL PROCESS</b>	
	74.1 Records	74-1
	74.2 Civil Process	74-2
	74.3 Criminal Process	74-3
<b>CHAPTERS 81-84</b>	<b>AUXILIARY AND TECHNICAL SERVICES</b>	
<b>CHAPTER 81</b>	<b>COMMUNICATIONS</b>	
	81.1 Administration	81-1
	81.2 Operations	81-2
	81.3 Facilities and Equipment	81-6
<b>CHAPTER 82</b>	<b>CENTRAL RECORDS</b>	
	82.1 Administration	82-1
	82.2 Field Reporting and Management	82-3
	82.3 Records	82-4
<b>CHAPTER 83</b>	<b>COLLECTION AND PRESERVATION OF EVIDENCE</b>	
	83.1 Administration	83-1
	83.2 Operations	83-1
	83.3 Evidence Handling	83-4
<b>CHAPTER 84</b>	<b>PROPERTY AND EVIDENCE CONTROL</b>	
	84.1 Administration and Operations	84-1
<b>APPENDIX A</b>	Glossary	A-1
<b>APPENDIX B</b>	Guiding Principles for Agencies and Assessors	B-1
<b>APPENDIX C</b>	Form for Raising Standards-Related Issues	C-1
<b>APPENDIX D</b>	Transition Policy	D-1
<b>APPENDIX E</b>	List of Time Sensitive Activities	E-1
<b>APPENDIX F</b>	List of Observation Standards	F-1
<b>APPENDIX G</b>	File Construction and Documentation	G-1
<b>APPENDIX H</b>	Standard Titles	H-1
<b>INDEX</b>		Index-1

# INTRODUCTION

## THE COMMISSION

The Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA®) was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations:

- International Association of Chiefs of Police (IACP);
- National Organization of Black Law Enforcement Executives (NOBLE);
- National Sheriffs' Association (NSA); and the
- Police Executive Research Forum (PERF).

CALEA's purpose was to establish a body of professional standards and to develop an accreditation process to administer its initial credentialing program, Law Enforcement Accreditation. This was completed by 1983, and the first agency was accredited in 1984.

The CALEA Accreditation Process is a proven modern management model; once implemented, it presents the Chief Executive Officer (CEO), on a continuing basis, with a blueprint that promotes the efficient use of resources and improves service delivery – regardless of the size, geographic location, or functional responsibilities of the agency.

This accreditation program provides law enforcement agencies an opportunity to *voluntarily* demonstrate that they meet an established set of professional standards which:

- Require an agency to develop a comprehensive, well thought out, uniform set of written directives. This is one of the most successful methods for reaching administrative and operational goals, while also providing direction to personnel.
- Provide the necessary reports and analyses a CEO needs to make fact-based, informed management decisions.
- Require a preparedness program be put in place – so an agency is ready to address natural or man-made critical incidents.
- Are a means for developing or improving upon an agency's relationship with the community.
- Strengthen an agency's accountability, both within the agency and the community, through a continuum of standards that clearly define authority, performance, and responsibilities.



- Can limit an agency's liability and risk exposure because it demonstrates that internationally recognized standards for law enforcement have been met, as verified by a team of independent outside CALEA-trained assessors.
- Facilitates an agency's pursuit of professional excellence.

### **CALEA Structure**

A Commission Board composed of 21 members governs CALEA. Eleven must be law enforcement practitioners; the balance is selected from the public and private sectors. Generally, they reflect a representation from local, state/provincial and international law enforcement and public safety organizations, along with business, academia, the judiciary, and state/provincial and local government. The Commissioners are appointed by the four founding law enforcement organizations, and serve without compensation.

CALEA operates as an independent, nonprofit (501[c] 3) corporation, and maintains a professional staff managed by an Executive Director. The staff conducts all administrative and operational duties as directed by the Commission. CALEA publishes a newsletter magazine three times a year, entitled *CALEA Update*, for its members and maintains a professional website. CALEA offers accreditation related training at each of its conferences, as well as presentations on current issues in law enforcement.

## **THE STANDARDS**

### **Standards Manual Evolution**

Following its first organizational meeting in December 1979, the Commission turned its attention to the development of standards. After approval of the draft standards in 1982, the Commission submitted its work to a field review. This accomplished the task of introducing the standards to the law enforcement community, while at the same time, yielding valuable feedback on the quality and value of the standards. Parallel to standards development, was the construction of an accreditation process, including policies, procedures, manuals, and forms. The standards (*Standards for Law Enforcement Agencies*) and process received final approval from the Commission in September 1983.

Since then, the standards have undergone many interpretations, adjustments, and amendments. In May 1987, the Commission printed the 2nd Edition of the *Standards for Law Enforcement Agencies* (also referred to as the Standards Manual) in the current loose-leaf format, incorporating the changes to the standards that had been approved to that date. Subsequent new editions of the Standards Manual have resulted approximately every five years following a comprehensive review conducted by law enforcement and other public safety professionals appointed by the Commission.

In March 1993, the Commission ordered a top-to-bottom review of the standards and accreditation process. A Standards Review Task Force, representing a wide cross-section of the Commission's user community, undertook an extensive, yearlong review. The 3rd Edition of the Standards Manual was approved in March 1994 and became effective on April 1, 1994.

In July 1997, the Commission ordered another periodic review of its standards and process. This resulted in the 4th Edition of the Standards Manual, which was approved in March 1998 and took effect on January 1, 1999.

The current 5<sup>th</sup> Edition of the *Standards for Law Enforcement Agencies* was developed over a two year review period. It was approved by the Commission in November 2005 and becomes effective July 1, 2006.

### **Standards Development and Change**

CALEA's standards are subject to ongoing review and revision. When modifications are recommended, they are presented to the Commission's Standards Review and Interpretation Committee (SRIC) for consideration. If appropriate, SRIC approves draft language and then presents the draft to the Commission for their approval to publicize the proposed change for review and comment from the law enforcement community. Comments are referred back to the SRIC for consideration. The SRIC then makes a recommendation to the Commission for final approval.

Unless otherwise indicated, new standards or changes to standards become effective upon the date of enactment and agencies must be in compliance within one year. Notification and dissemination of the changes is accomplished by means of a **Change Notice** publication. This includes hard copy replacement pages for the Standards Manual with the effective date of the enactment printed on the bottom of the page. Changes are also announced in the *CALEA Update* and on the CALEA website.

While law enforcement practitioners are the primary source for CALEA Standards, any individual can present a standard to the Commission for consideration (see Appendix C for the form).

### **Nature and Scope of the Standards**

The current 459 law enforcement standards in the 5<sup>th</sup> Edition Standards Manual are organized into 38 chapters by subject areas. Each chapter begins with an *introduction* that provides important guidance to an agency regarding the subject area, its applicability, or any related standards. The standards state *what* must be accomplished by the agency, but generally allow wide latitude in determining *how* to achieve compliance with each applicable standard. This approach maintains agency independence and is the key to understanding the universal nature and flexibility of the standards. Since compliance is never limited to a single means of achievement, consequently, compliance should always be attainable.

The Commission expects accredited agencies to maintain compliance and live by the *letter* and *spirit* of the standards. The agency must consider its mission, its legally mandated responsibilities, and the demands of its service community in determining which standards are applicable and how it will comply with them.

Key terms used throughout the Standards Manual are listed in the **Glossary** (Appendix A). The importance of the glossary cannot be overstated. Many terms in law enforcement are universal; some are not. The glossary defines terms in the manual to correspond with the Commission's intent on the requirements of a standard and to guide the agency in determining how it will comply.

The Commission also developed a series of guiding principles to govern the general application of standards, clarify the intent of others, and amplify actions that assessors may take in verifying compliance. Familiarity with the **Guiding Principles for Agencies and Assessors** (Appendix B) is essential for successfully achieving accreditation.

### **Standard Composition**

Each standard is composed of three parts: the *standard statement*, the *commentary*, and the *levels of compliance*.

The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. Many statements call for the development and implementation of written directives, such as general or special orders, standard operating procedures, or other documented communication, which articulate the agency's policies, procedures, rules, and regulations. Other standards require an activity, a report, an inspection, equipment, or other action.

The *commentary* supports the standard statement but the commentary is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of *one* possible way to comply with the standard. Since the agency has the latitude to determine "how" it will comply with applicable standards, and since the burden of proof to verify this compliance is also the responsibility of the agency, it can choose to ignore the commentary and comply with the standard on its own terms.

The *levels of compliance* denote the relative importance assigned to each standard, if applicable, based upon agency size. For each of four agency-size categories, the levels of compliance indicate whether a given standard is mandatory (**M**), other-than-mandatory (**O**), or not applicable due to size (**N/A**).

Standards dealing with life, health, and safety issues, legal matters, or are essential law enforcement requirements are classified as mandatory. Standards dealing with important or desirable law enforcement requirements or with exemplary activities are classified as other-than-mandatory. Standards not required of agencies because of their size are classified as not applicable.

Agency size is defined as the total number of authorized full-time personnel (sworn and non-sworn) assigned to the law enforcement function. Correctional officers and firefighters are not counted in the total, unless they are certified for law enforcement duties. The four agency-size categories are **A** (1-24 personnel), **B** (25-74), **C** (75-299), and **D** (300 or more).

The levels of compliance are placed between parentheses at the end of the commentary and appear as a series of bold letters, their sequence corresponding to the four agency-size categories, left to right: (**A B C D**). Levels of compliance may be the same for all agency sizes, e.g., (**M M M M**), or may vary according to size, e.g., (**N/A O O M**).

An example standard:

**43.1.3** *The agency's budget provides for a confidential fund(s) to support the operations of the vice, drug, and organized crime control functions.*

**Commentary:** The nature of the operations of these functions often requires frequent and sometimes large expenditures of money. This can include paying informants, purchasing contraband as evidence, and incurring expenses for surveillance activities and equipment. The intent of this standard is to identify the existence of all such funds and to insure they are strictly administered and accounted for in accordance with standards 17.4.2. (N/A O M M)

The standard dictates what must be accomplished. This commentary presents the rationale behind the standard and the intent of the standard. The level of compliance indicates this standard is not applicable to the smallest agencies (A), is an other-than-mandatory standard for agencies with 25-74 full time employees (B), and is a mandatory requirement for larger agencies that have responsibilities in this area (C, D).

#### **Applicability of the Standards and Compliance**

As noted above, some standards may not be applicable to an agency because of its size. In addition, standards may or may not be applicable depending on the functions performed or not performed by the agency. Each agency starting the accreditation program must review all standards to identify those that are not applicable to its responsibilities. Standards that fall into this category are considered to be not *applicable by function*; neither those standards nor their corresponding level of compliance would be applicable to the agency.

For example, a municipal police department may not have the responsibility to provide court security (Chapter 73) in its jurisdiction because this function is performed by the county sheriff. If the police department is the agency in question, all standards in Chapter 73 would be considered "not applicable" because it does not perform the function addressed by the chapter. On the other hand, if the sheriff's office, in this example, is the agency in question, the standards in Chapter 73 would apply and the levels of compliance would become relevant. This example illustrates why a standard may be applicable to one agency and not applicable to another, even when the agencies are the same size. Further information on applicability is found in the Guiding Principles for Agencies and Assessors, Appendix B.

The Commission reserves the right to make certain standards applicable regardless of whether the agency currently performs the functions addressed by those standards. For example, a municipal police department without crime prevention activities would not be permitted to designate as not applicable the standards addressing those functions merely because they were not being performed.

When the agency has eliminated standards that do not apply, the balance becomes the list of "applicable" standards. An agency applying for accreditation must comply with all applicable mandatory (M) standards (except in rare instances when the Commission grants a waiver) and at least 80 percent

of the applicable other-than-mandatory (O) standards. The agency is free to select the applicable other-than-mandatory standards to include in the 80 percent group.

If the level of compliance based on the agency's size category is not applicable (N/A), the agency is excused from complying with the standard. (Exception: if the agency voluntarily chooses to perform the function or activity required by the standard, it becomes applicable regardless of agency size and the requirements must be met.)

If an agency can not comply with an applicable mandatory standard because of circumstances beyond its control, e.g., labor contract, court decree, it may ask the Commission to "waive" the obligation to comply.

For more information on applicability and compliance with standards, see **Appendix G, File Construction and Documentation.**

### **Types of Standards**

The standards are described according to the following types or categories: written directive, bulleted, conditional, linked, observation, and activity required. A brief description with examples follows:

The most prevalent standard type requires a *written directive*. In addition to requiring a policy, procedure, or other activity, a 'written directive' standard also imposes a responsibility on the agency to describe the activity in writing. The written directive requirement creates documentation, which fixes accountability on the agency, its personnel, and provides for standardization and consistency in application.

Broadly defined, a written directive is any written documentation that governs or directs the agency or its employees. Written directives may exist internally, e.g., general orders, standard operating procedures, memoranda, and labor contracts; or externally, e.g., laws, judicial decrees, mutual aid agreements, and city-wide rules and procedures. The presence of written directives involves the added responsibilities of dissemination, training, and supervision of affected personnel. The following presents two examples of a written directive standard:

#### **1.3.3** *A written directive governs the discharge of "warning" shots.*

Standard 1.3.3 requires an agency policy for warning shots and the policy must be put in a written directive. The agency has the latitude to establish a policy that prohibits warning shots or a policy that authorizes their use either at all times or conditionally. While professional judgment or community standards may dictate the best policy to develop, the standard simply requires a written directive stating the agency's policy.

Included under written directive standards are ones that present multiple requirements or *bulleted* subcomponents. An alphanumeric designator identifies each item or bullet. Compliance is required of each applicable bullet; bullets that do not apply are treated individually as N/A. For example:

**12.1.2** *A written directive establishes the command protocol for the following situations, at a minimum:*

- a. *in the absence of the chief executive officer;*
- b. *in exceptional situations;*
- c. *in situations involving personnel of different functions engaged in a single operation; and*
- d. *in normal day-to-day agency operations.*

**Conditional** standards, as illustrated below, frequently use the word “if” to identify a condition. The presence of the condition makes the standard applicable; its absence renders the standard N/A. Another identifier is the phrase “in the absence of controlling legislation.”

**43.1.4** *If the agency possesses, or has access to, surveillance and undercover equipment, a written directive establishes a system for its authorization, distribution, and use.*

**Linked** standards relate one standard to another standard in the chapter, such as:

**1.3.7** *The agency has a written procedure for an administrative review of each report required by 1.3.6.*

**Observation** standards are identified by the phrase “**Compliance may be OBSERVED**” following the level of compliance designation, and may generally be verified visually. Some of these standards may also require additional documentation (see **Appendix F, Observation Standards**).

**41.3.1** *Vehicles used in routine or general patrol service, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and a siren.*

**Commentary:** (omitted here)

**(M M M M) Compliance may be OBSERVED.**

**Activity required** standards require that a specific activity occurs, such as a report, review, analysis, inspection, test, survey, audit and/or inventory. The activity may or may not require a written directive and many are *time sensitive* standards that require the activity to be accomplished at specific periods. For example:

**35.1.2** *A written directive requires a performance evaluation of each employee and reserve officer be conducted and documented at least annually with the exception of the agency CEO, constitutionally elected officials, or those employees exempted by controlling legislation.*

This standard has the following conditions; a written directive, the activity to be performed, and a time line (see **Appendix E, List of Time Sensitive Activities**).

## THE ACCREDITATION PROCESS

There are five general phases or steps in the accreditation process:

### **Getting Started and Enrollment:**

An indispensable companion to the *Standards for Law Enforcement Agencies* is the *CALEA Process and Programs Guide*. The guide provides more in-depth information about CALEA and the components of the accreditation program.

Agencies can obtain information, view/print fee schedules and required documents, or purchase any CALEA publication, including the CALEA Accreditation Compliance Express (CACE) software, directly from the CALEA website ([www.calea.org](http://www.calea.org)); or by contacting CALEA (800-368-3757). CALEA staff is available to answer questions or provide general assistance. Interested agencies or individuals can also register to attend a CALEA Conference. When an agency is ready to enter the process, it should contact CALEA for an Enrollment Package.

### **Self-Assessment:**

Once an agency is enrolled in the Law Enforcement Accreditation Program, it enters self-assessment. An agency has 36 months from the date a CALEA representative signs the Accreditation Agreement to complete self-assessment and schedule an on-site assessment.

The agency proceeds with self-assessment by complying with applicable standards, developing proofs of compliance, and preparing for the on-site assessment. During this time, CALEA staff is available to provide guidance on the applicability of standards and attaining compliance.

### **On-Site Assessment:**

Once the agency notifies CALEA of its completion of the self-assessment phase and its desire to schedule its initial on-site assessment, staff will schedule a date that is mutually agreeable. A team of CALEA-trained assessors visits the agency to determine compliance with standards, views agency operations, conducts a public information session, and reports its findings to the Commission for final determination of accreditation status.

### **Commission Review and Decision:**

At each CALEA Conference held three times a year, the Commission's Review Committees conduct hearings, which are open for public attendance, regarding the agency's compliance to applicable standards. Designated agency representatives are invited to participate in this review. If satisfied the agency has met all compliance requirements, the Commission awards accreditation for a three year period.

### **Maintaining Compliance and Reaccreditation:**

During its accreditation award cycle, the agency must maintain compliance with applicable standards, keep its proofs of compliance up-to-date, and live by the *letter and spirit* of those standards. To retain its accredited status, the agency is required to submit to CALEA their appropriate accreditation

continuation fees, as well as an annual report. Reaccreditation occurs at the end of the three years, following another successful on-site assessment and hearing before the Commission.



# 1

## LAW ENFORCEMENT ROLE AND AUTHORITY

Standards in this chapter relate to the basic role and authority of law enforcement agencies. Subtopics address the development of policy concerning the law enforcement function, the limits of authority, and the use of force.

When an agency defines its role, two broad purposes are served. First, sworn and civilian personnel are made aware of the actions and attitudes expected of them and can, therefore, act without hesitation in consonance with the agency's values and policies. Second, members of the public are provided with a general standard by which they can measure the performance of the agency. Written policy defining the functional role should set forth the agency's values, mission, goals, basic programs, and priorities. The policy statement should also specify that the agency intends to be responsive to, and protect the constitutional rights of, the community.

Before proceeding with the remaining chapters in this manual, it is imperative that the user identifies each category of agency personnel and their respective authority within the agency (subchapters 1.1 and 1.2) using the following five caveats as a guide:

- 1) A very clear distinction is made in this manual between sworn and civilian personnel. Read the glossary definitions for "sworn officer," "civilian," and "full-custody arrest" carefully. A sworn officer has the authority to make a full custody arrest; a civilian does not.
- 2) Some agencies have more than one category of full-time sworn personnel. For example, "warden," "commercial vehicle enforcement officer," "fire marshal," or other category having authority to make a full custody arrest for violations of specific or narrowly defined laws or ordinances.
- 3) Some agencies have reserve officers (see Glossary). Reserve officers are part-time sworn personnel. Standards in subchapter 16.3 deal specifically with this category.
- 4) Some agencies have auxiliaries (see Glossary). Auxiliaries are not sworn personnel, even though in some states, provinces, or localities auxiliaries may be defined by law as having sworn authority. For the purpose of application of standards in this manual the Glossary definitions for reserves and auxiliaries will be used.
- 5) Some agencies may issue certain less lethal weapons or restraining devices to civilian personnel such as security guards, detention employees, or others whose scope and responsibility necessitates the use of these items. Issuing these items will cause standards such as use of force, Chapter 1, and training, Chapter 33, or possibly detainee transport, Chapter 70, to become applicable to this category of agency personnel.

Agencies having more than one category of sworn personnel should clearly identify each category in standard 1.2.1. Any other standard that refers to sworn personnel will be applicable to all categories of full-time sworn personnel. This may cause the agency to demonstrate compliance in more than one way depending on the number of categories and whether the processes differ between the categories. Compliance may be achieved in these standards using separate documentation for each category.

Written directives concerning the agency role, limits of authority, and use of force should emphasize the agency's core values and intent to meet or exceed the public's expectations in the delivery of professional law enforcement services.

Few issues outweigh the concern raised in a community when it is perceived that members of a law enforcement agency use inappropriate levels of force. A community rightfully expects that its law enforcement agency will issue weapons only to those agency members legally authorized to carry same as a condition of their duties, and that weapons and tactics are only utilized in conformance with sound policies, procedures, and training.

Policies, procedures, and training on topics such as use of force and officer discretion have typically touched upon the legal aspects of these issues; in some jurisdictions this may even be mandated. Accredited agencies look beyond simply what might be legal, providing sound written guidance consistent with agency values that often conveys a sense of responsibility and compassion that transcends all laws.

## **1.1 Law Enforcement Agency Role**

**1.1.1** *A written directive requires all personnel, prior to assuming sworn status, to take and subsequently abide by an oath of office to enforce the law and uphold the nation's Constitution or basic law of the land and, where applicable, those of governmental subdivisions.*

**Commentary:** None. (M M M M)

**1.1.2** *A written directive requires all personnel to abide by a code or canon of ethics adopted by the agency and mandates that ethics training be conducted for all personnel, at a minimum, biennially.*

**Commentary:** Sworn and civilian employees should receive instruction that concerns their position dilemmas, temptations, responsibilities, and duties. The Canon of Ethics or Law Enforcement Code of Ethics published by the International Association of Chiefs of Police or the Code of Ethics of the Office of the Sheriff adopted by the National Sheriffs' Association, ICMA Code of Ethics adopted by the International City Managers Association, or APCO Telecommunicator Code of Ethics adopted by the Association of Public-Safety Communications Officials International, Inc., will satisfy partial intent of this standard. Adherence to those codes of ethics and to the United Nations Code of Conduct for Law Enforcement Officials may be included as an element of the oath of office. Ethics review can be in the form of classroom, shift briefing, computer based training and bulletins, or any combination of methods as determined by the agency. (M M M M)

**1.1.3** *A written directive specifies the agency's role in criminal justice and social service diversion programs.*

**Commentary:** There are often social service diversion programs in which law enforcement agencies are directly involved, including detoxification, mental health, and drug abuse diversion programs. Additionally, there are criminal justice diversion programs principally for juvenile delinquents but which may apply to others with whom the agency may be involved. The written directive should describe the agency's role in these programs. (O O O O)

**1.1.4** *A written directive governs procedures for assuring compliance with all consular notification and access requirements in accordance with international treaties when dealing with foreign nationals.*

**Commentary:** The cooperation of law enforcement agencies in extending consular notification and access to foreign nationals in accordance with international law helps the national government comply with its international treaty obligations. It also helps to ensure that citizens of every country are treated with the same respect and treaty compliance when arrested or detained in foreign countries; and provides a basis for national governments to assert their international rights (see standard 72.7.1).

The complexity of the treaty requirements suggests that the agency arrange for training with all appropriate personnel.

Law enforcement agencies in the United States can obtain relevant information and detailed guidance by consulting the U.S. State Department's publication entitled *Consular Notification and Access*. Agencies outside the United States should contact the appropriate Department of State or equivalent for information and reference materials. (M M M M)

## **1.2 Limits of Authority**

**1.2.1** *A written directive defines the legally mandated authority and responsibilities vested in all categories of sworn agency personnel. If the agency has more than one category of sworn personnel, each shall be identified.*

**Commentary:** The written directive should define and elaborate on the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes, ordinances, and arrests. Some agencies have more than one category of sworn agency personnel. For example, warden, fire marshal, commercial vehicle enforcement officer, or other special class of officer having sworn duties, but limited arrest authority. Standards in this manual applicable to sworn officers are applicable to each category. Generally, sworn status includes the authority to make a full custody arrest. (M M M M)

**1.2.2** *A written directive defines the legal authority to carry and use weapons by agency personnel in the performance of their duties.*

**Commentary:** In many jurisdictions the legal authority to carry weapons is clearly stated within state law, provincial code, city charter, or local ordinance. In other areas, such authority is implied or can be inferred from laws and ordinances outlining the agency's law enforcement functions, limits on its use of

force, or from state or federal court decisions governing the jurisdiction. In still other areas, such authority is derived from that authority granted to the agency's chief executive officer. To the extent possible, such authority should be clearly described within the agency's written directives and should set clear parameters for the use of such authority for each category of sworn and civilian personnel who are permitted or prohibited to carry and use weapons. For example, both security guards and sworn officers may be authorized to carry firearms, but the security guard may be restricted to carrying weapons only while on specified assignments. Written directives and the guidance provided through specific job descriptions should clearly describe the authority to carry and use weapons within the rules, regulations and laws established by local, regional, tribal, provincial, state or federal authority.

(M M M M)

**1.2.3** *A written directive governs procedures for assuring compliance with all applicable constitutional requirements, including:*

- a. interviews (including field interviews);*
- b. interrogations; and*
- c. access to counsel.*

**Commentary:** The agency should clearly indicate what constitutes a valid field interview situation to guard against its misuse and to minimize potentially adverse citizen reactions. Field interview contacts may be documented to provide other officers, investigators, and crime analysts with information concerning suspicious persons and situations. Information gathered on field contact cards or forms may be considered criminal intelligence and processed in accordance with standards in 42.1.6 and Chapter 82 (Records).

The areas referred to in this standard are coercion or involuntary nature of confessions and admissions, delay in arraignment, failure to inform defendants of their rights, deprivation of counsel, and pretrial publicity tending to prejudice a fair trial. Consideration should be given to audio/video recording of custodial interrogations involving major cases. Juvenile procedures are addressed in standards 44.2.2 and 44.2.3. (M M M M)

**1.2.4** *A written directive governs search and seizure without a warrant by agency personnel, to include the following situations:*

- a. search by consent;*
- b. stop and frisk of an individual under circumstances where the officer has articulable reasons to fear for his/her safety;*
- c. search of a vehicle under a movable vehicle exception;*
- d. at the scene of a crime;*
- e. exigent circumstances, as where the public safety is endangered;*
- f. inventory searches of seized vehicles or other property; and*
- g. other situations authorized by state and federal constitutional provisions.*

**Commentary:** The intent of this standard is to provide general guidelines and procedures for agency law enforcement personnel to follow in conducting searches that have not been reviewed and authorized by judicial personnel. (M M M M)

**1.2.5** *A written directive specifies the procedures for any arrest, made with or without a warrant, and includes the criteria for:*

- a. preparing reports;*
- b. fingerprinting; and*
- c. photographing.*

**Commentary:** The written directive should include procedures imposed by the U.S. Supreme Court, the courts of the applicable state and/or country, and any legislation pertaining to or governing the laws of arrest. Also included should be circumstances that permit a warrantless arrest; areas that may be searched incident to an arrest, both with and without a search warrant; procedures for handling persons asserting diplomatic or other forms of immunity (see also standards 61.1.3 and 1.1.4); and requirements that pertain to arrestee rights.

Procedures should specify those offenses where fingerprints and photographs are required. Refer to standard 44.2.2. The directive should be updated in a timely fashion so that it reflects new decisions that add to the substantive laws of arrest. All information should be kept current for persons subsequently arrested, e.g., address, photograph. (M M M M)

**1.2.6** *A written directive defines the authority, guidelines, and circumstances when sworn personnel may exercise alternatives to arrest, prearrest confinement, and/or pretrial release.*

**Commentary:** The written directive should identify the authority of sworn officers to use alternatives to arrest, e.g., citations, summonses, referrals, informal resolutions, and warnings, to address the variety of problems they confront. Policy guides and procedural directions should be developed to ensure appropriate use of the alternatives by personnel. (M M M M)

**1.2.7** *A written directive governs the use of discretion by sworn officers.*

**Commentary:** In many agencies, the exercise of discretion is defined by a combination of written enforcement policies, training, and supervision. The written directive should define the limits of individual discretion and provide guidelines for exercising discretion within those limits (see standards 61.1.2 and 61.1.5). (M M M M)

**1.2.8** *The agency has written procedures for strip and body cavity searches. The procedures shall include:*

- a. authority for conducting strip and body cavity searches with and without a warrant;*
- b. provisions for privacy and search by gender; and*
- c. reporting requirements.*

**Commentary:** Strip and body cavity searches are sometimes necessary for agency safety and security or to seize evidence of criminal activity. These searches, however, are highly intrusive and should be conducted within the limits of legal authority, out of public view, and with due regard for human dignity. Some body cavity searches may require special hygienic procedures and qualified medical personnel to

conduct the search. The procedures should guide agency personnel in conducting strip and body cavity searches that will maximize safety, seize necessary evidence, and be considered reasonable by applicable judicial authority. (M M M M)

**1.2.9** *The agency has a written directive governing bias based profiling and, at a minimum, includes the following provisions:*

- a. a prohibition against bias based profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts;*
- b. training agency enforcement personnel in bias based profiling issues including legal aspects;*
- c. corrective measures if bias based profiling occurs; and*
- d. a documented annual administrative review of agency practices including citizen concerns.*

**Commentary:** Profiling, in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

Law enforcement agencies should not condone the use of any bias based profiling in its enforcement programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts, and may lead to claims of civil rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community, invites media scrutiny, invites legislative action, and invites judicial intervention.

Law enforcement personnel should focus on a person's conduct or other specific suspect information. They must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others. Annually, the agency should include profiling related training that should include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support. (M M M M)

### **1.3 Use of Force**

**1.3.1** *A written directive states personnel will use only the force necessary to accomplish lawful objectives.*

**Commentary:** None. (M M M M)

**1.3.2** *A written directive states that an officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury. Definitions of conditional terms, such as those for reasonable belief, serious physical injury, or similarly used terms that are used to qualify the directive, shall be included.*

**Commentary:** The intent of this standard is to establish a clear-cut agency policy on the use of deadly force that provides officers with guidance in the use of force in life-and-death situations and to prevent unnecessary loss of life. (M M M M)

*1.3.3 A written directive governs the discharge of “warning” shots.*

**Commentary:** Generally, warning shots should be prohibited due to the potential for harm. If permitted, the circumstances under which they are utilized should be narrowly defined. (M M M M)

*1.3.4 A written directive governs the use of authorized less lethal weapons by agency personnel.*

**Commentary:** None. (M M M M)

*1.3.5 A written directive specifies procedures for ensuring the provision of appropriate medical aid after use of lethal or less lethal weapons, and other use of force incidents as defined by the agency.*

**Commentary:** The intent of this standard is to minimize the severity posed by obvious injuries or non-visible trauma commonly associated with some weaponless or hand-to-hand tactics. Such tactics may include neck holds, hard punches to the head, heart, or other vital organs, or restricting respiratory function. “Appropriate medical aid” does not place the burden on the agency to have each injured person immediately evaluated at a medical facility. “Appropriate medical aid” may include increased observation to detect obvious changes in condition, flushing chemical agents from the eyes, applying first aid, evaluation by paramedics, or for more serious or life threatening incidents, immediate aid by medical professionals. “Other use of force incidents as defined by the agency” may include procedures for the provision of medical aid to a person injured prior to contact with the agency, but the scope of this standard is limited to actions taken by agency personnel causing, or likely to cause injury.

(M M M M)

*1.3.6 A written report is submitted whenever an employee:*

- a. discharges a firearm, for other than training or recreational purposes;*
- b. takes an action that results in, or is alleged to have resulted in, injury or death of another person;*
- c. applies force through the use of lethal or less lethal weapons; or*
- d. applies weaponless physical force at a level as defined by the agency.*

**Commentary:** The intent of this standard is to establish use of force or response to resistance reporting systems within the agency for effective review and analysis (see standards 1.3.7 and 1.3.13). The reporting systems should help identify trends, improve training and employee safety, and provide timely information for the agency addressing use of force issues with the public. Early and accurate reporting helps establish agency credibility.

Software programs may be used to generate the necessary reporting elements of this standard or the agency may choose to use a variety of reporting methods to document use of force or response to resistance incidents, based on severity or other established criteria.

This standard could include documenting the pointing of weapons or using weaponless, hand-to-hand control techniques. These techniques include, but are not limited to: physical touching, gripping or holding, frisking, pain compliance measures, pressure point application, come-alongs, handcuffing, or other custodial procedures. It should be noted that some agencies have had success documenting this type of information, using a standard checklist report format associated with the arrest or incident report.

In deciding the threshold of when to generate a use of force or response to resistance report and how extensive the report needs to be, the agency should carefully examine all incidents wherein its employees have caused, or are alleged to have caused death or injury to another, have accidentally or intentionally discharged a firearm, or have applied weaponless force upon another to the extent it is likely to cause or lead to unforeseen injury, claim of injury, or allegations of excessive force, e.g., the use of neck holds, four point restraints (commonly referred to as the "hog-tie" restraint), punches, or kicks. The agency should also consider who is required to write reports when multiple employees were engaged in the same use of force incident.

If physically able, the primary employee involved should be required to verbally report his/her involvement within a specified time period. The verbal report should be committed to writing as soon as practical, thereafter. Written procedures should state by whom, when, and how the report will be submitted. The standard is not intended to document the display of weapons by employees or actions taken to euthanize animals. (M M M M)

**1.3.7** *The agency has a written procedure for an administrative review of each report required by standard 1.3.6.*

**Commentary:** None. (M M M M)

**1.3.8** *A written directive requires that any employee, whose action(s) or use of force in an official capacity results in death or serious physical injury, be removed from line-duty assignment, pending an administrative review.*

**Commentary:** The purpose of this standard is twofold: to protect the community's interest when employees may have exceeded the scope of their authority in their actions or in their use of force and to shield employees who have not exceeded the scope of their authority from possible confrontations with the community.

The agency should consider removing from duty status all employees involved in a critical or traumatic incident, not limited to shootings, and may include incidents such as a fatal motor vehicle collision involving the employee. During the period of administrative leave or reassignment, the agency should consider provisions for post-incident debriefing or counseling for those employees involved. In some critical incidents, the employee's family may also require assistance.



The removal process may have a detrimental effect on employees involved. Agencies may wish to routinely include a review of these procedures during in-service training sessions (see standard 1.3.11) to enhance understanding of this procedure. (M M M M)

**1.3.9** *A written directive requires that only weapons and ammunition authorized by the agency be used by agency personnel in law enforcement responsibilities. The directive shall apply to weapons and ammunition carried both on and off duty, and must address:*

- a. the types and specifications of all lethal and less lethal weapons approved for use, including those weapons used by members of tactical teams or other specialized personnel;*
- b. the types and specifications of ammunition approved for use, including ammunition used in specialized weapons for members of tactical teams or other specialized personnel;*
- c. the procedure for review, inspection, and approval of all weapons intended for use by each employee in the performance of duty, prior to carrying, by a qualified weapons instructor or armorer;*
- d. a process to remove unsafe weapons;*
- e. the procedure for maintaining a record on each weapon approved by the agency for official use; and*
- f. guidelines for the safe and proper storage of agency authorized firearms.*

**Commentary:** The intent of this standard is to establish strict agency control over all firearms, weapons, and ammunition it allows members to carry and use in the performance of their official duties, both on and/or off duty. Clear guidelines should be established for exact types and specifications of each category of weapon, including specialized weapons used by members of tactical teams or other specialized personnel. Written directives and the guidance provided through specific job descriptions should clearly describe the authority to carry and use weapons within the rules, regulations and laws established by local, regional, tribal, provincial, state or federal authority.

For firearms, the agency should establish an approval process. Each firearm should be identified, meet the agency's established criteria and be safe and in good working order. The user should demonstrate his or her proficiency in using the firearm on an approved qualifying course before being approved, in writing, by the agency, to carry and use the firearm. A certified firearms instructor or armorer should inspect and approve the firearm and oversee the proficiency testing.

A complete record of all weapons approved by the agency should be maintained. For firearms, the record should list the type, description, identifying model, and serial numbers of each firearm, as well as the identity of the owner or assignee. The record should also include the name of the official making the approval, the date of approval, the course fired, and all scores used to qualify the user on the demonstration of proficiency. All approvals should be conditional upon periodic requalification pursuant to procedures established to comply with standard 1.3.11. (M M M M)

**1.3.10** *A written directive requires that only agency personnel demonstrating proficiency in the use of agency-authorized weapons be approved to carry such weapons.*

**Commentary:** The intent of this standard is to cover the carrying and use, both on and off duty, of all weapons, such as handguns, shotguns, chemical sprays, or striking weapons (see standard 1.3.9). Demonstrated proficiency includes achieving minimum qualifying scores on a prescribed course; attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. (M M M M)

**1.3.11** *At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons and electronic controlled weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. In addition:*

- a. proficiency training must be monitored by a certified weapons or tactics instructor;*
- b. training and proficiency must be documented; and*
- c. the agency must have procedures for remedial training for those employees who are unable to qualify with an authorized weapon prior to resuming official duties.*

**Commentary:** Annual and biennial in-service use of force refresher training need not be as formal as entry level or recruit training. Use of force retraining can be accomplished through a combination of methods; for example, during shift briefing training sessions, reviewing legal updates on use of force issues, or conducting written or skills tests on use of force and less than lethal weapons during annual firearms qualifications courses. Proficiency levels should be established by the agency with input from certified weapons instructors or others in the agency that can validate the criteria. Demonstrated proficiency with less lethal weapons may consist of the same criteria used at entry level, or the course may be modified to either abbreviate or extend the training, based on the agency's experience with the weapon in the field.

The intent of bullet (c) is to ensure that remedial measures are provided, and that an employee failing to demonstrate proficiency with a weapon is not returned to duty with that weapon until such time as proficiency is demonstrated and documented.

Unless they are applied properly, neck restraints and other similar compliance techniques that rely on cutting off the flow of oxygen to the brain have the potential to cause serious injury or death. Therefore, any agency that authorizes the use of such techniques should ensure that its personnel are properly trained in the use of these techniques so that the possibility of injury is minimized. In addition to the initial training, the agency should also provide biennial refresher training to ensure that the skills required for proper application are maintained.

See also standard 33.5.1. Training should be commensurate with the limits and scope of the employees' job responsibilities, e.g., an agency property guard having no arrest authority may be issued a baton and chemical agent, but training proficiency need only cover defensive moves. The curriculum for sworn officers would be more extensive based on the scope of their authority to use force in making arrests. (M M M M)

**1.3.12** *A written directive requires that all agency personnel authorized to carry lethal and less lethal weapons be issued copies of and be instructed in the policies described in standards 1.3.1 through 1.3.5 before being authorized to carry a weapon. The issuance and instruction shall be documented.*

**Commentary:** None. (M M M M)

**1.3.13** *The agency conducts a documented annual analysis of those reports required by standard 1.3.6.*

**Commentary:** A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. (M M M M)

# 2

## AGENCY JURISDICTION AND MUTUAL AID

Standards in this chapter relate to an agency's jurisdiction and the provision and use of mutual aid and regional law enforcement services among agencies through cooperative agreements.

Agreements should be reached among law enforcement agencies in adjoining jurisdictions or within the agency's jurisdiction to provide assistance to each other in the event of natural disaster, mass disorder, or other emergency situations. Lines of command should be established beforehand. Procedures for the provision of personnel should also be established in advance.

The Commission has exempted state agencies from having formal mutual aid agreements with agencies in adjoining states. Standard 2.1.3 is not applicable for state agencies.

### 2.1 Agency Jurisdiction and Mutual Aid

*2.1.1 A written directive delineates the specific geographical boundaries of the agency's jurisdiction.*

**Commentary:** It is fundamental that the agency clearly describes, in writing, the geographical boundaries of its jurisdiction. Situations involving overlapping or ambiguous territorial jurisdiction should be avoided. A detailed official map, including the boundaries of the jurisdiction, may satisfy the requirements of this standard. (M M M M)

*2.1.2 A written directive specifies the agency's responsibilities in any interagency agreement regarding concurrent jurisdiction.*

**Commentary:** The intent of the standard is to encourage an agency to identify its responsibilities, with regard to concurrent jurisdiction, which are established as a matter of law or on the basis of interagency agreement. This standard does not require an interagency agreement where none exists. The written directive should clearly outline the source of the concurrent jurisdiction, e.g., cites the specific legal basis or relevant interagency agreement, and should outline such details as identification of which agency responds to a call for service by type, communication linkages between agencies to ensure prompt and appropriate response, provision of back-up support between jurisdictions, and reporting responsibilities and policy concerning the jurisdiction of prosecutors and courts. (O O O O)

*2.1.3 In the absence of controlling legislation governing mutual aid, the agency has written agreements with neighboring law enforcement agencies to provide mutual aid in emergency situations. The mutual aid agreement must include, at a minimum, the following details:*

- a. *the legal status of agencies and agency personnel responding to mutual aid requests;*
- b. *procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;*
- c. *procedures for requesting mutual aid;*
- d. *identity of those persons authorized to request mutual aid;*
- e. *identity of persons to whom outside personnel are to report;*
- f. *procedures for maintaining radio communication with outside personnel;*
- g. *expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources; and*
- h. *procedures for review and revision if prescribed in the agreement.*

**Commentary:** Emergency situations often require augmented law enforcement capabilities to restore order or assist victims. The agency's mutual aid agreement should provide all the information necessary to initiate mutual aid activities either on behalf of the agency or at the request of a neighboring law enforcement agency. The agreement should also consider provisions for the indemnification of the provider agency and its personnel, e.g., life, health, and liability insurance.

Whether the agency operates under existing legislation or a mutual aid agreement, it should have a plan for providing or receiving aid in critical incident situations. The plan should assess the extent of aid that could be provided while maintaining adequate law enforcement coverage in the service area. The types and amounts of major resources should be estimated and their locations listed. Planning should also involve liaison with other agencies that may be involved when mutual aid is invoked. (O O O O)

**2.1.4** *A written directive governs procedures for requesting federal law enforcement or national guard assistance in emergency situations.*

**Commentary:** None. (M M M M)

# 3

## CONTRACTUAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES

The provision of law enforcement services for which a fee is paid should be based on a precise contractual agreement. Necessary elements of the agreement include a description of the services to be provided, the cost of the services, how payments are to be made, the issuance of reports and keeping of records, as well as procedures for amendment, renewal, and cancellation. Provisions for any lawsuits or payments of damages that arise from the provided services should be included in the contract as should provisions for hiring and disciplining provider personnel, for assigning specific duties to provider personnel, and for establishing equipment and property ownership and use. Standards in this chapter pertain to the agency providing a law enforcement service.

Law enforcement service includes the following traditional public safety activities, which are performed over a specified time period: patrol services; investigative services; the housing of detainees; communications performed for another law enforcement agency (note: this does not include dispatching services for fire or emergency medical service); automated or manual fingerprint identification; record keeping for law enforcement files; and property management.

This chapter does not pertain to those services that may be furnished by a commercial vendor, e.g., photo development, laboratory services, towing services. Additionally, this chapter does not address extra-duty assignments, e.g., security at high school or university functions, sporting events (see standard 22.3.4).

### 3.1 Contractual Agreements

**3.1.1** *A written agreement exists governing law enforcement services provided by the agency, and includes:*

- a. a statement of the specific services to be provided;*
- b. specific language dealing with financial agreements between the parties;*
- c. specification of the records to be maintained concerning the performance of services by the provider agency;*
- d. language dealing with the duration, modification, and termination of the contract;*
- e. specific language dealing with legal contingencies;*

- f. stipulation that the provider agency maintains control over its personnel;*
- g. specific arrangements for the use of equipment and facilities; and*
- h. a procedure for review and revision, if needed, of the agreement.*

**Commentary:** The elements of contract law enforcement services should be identified in a written agreement. At a minimum, the subjects listed in the bullets of this standard should be addressed. Additional clauses may clarify other identified needs or agreements. (M M M M)

**3.1.2** *A written directive stipulates that employment rights of personnel assigned under a contract for law enforcement services are not abridged by the provider agency.*

**Commentary:** Participation in a contracted law enforcement service arrangement should not penalize participating employees nor should it in any way threaten their employment rights, promotional opportunities, training opportunities, or fringe benefits. (M M M M)

# 11

## ORGANIZATION AND ADMINISTRATION

Standards in this chapter relate to organization and administration of the agency and the application of basic organizational principles, such as organizing by function, ensuring unity of command, delineating responsibility, and delegating authority.

No attempt has been made to suggest specific organizational structures or specific titles or designations for various organizational components. To do so would limit flexibility and would make it difficult to accommodate the resources and capabilities of individual agencies.

Although basic organizational principles are emphasized in this chapter, agencies with the capacity to go beyond the application of basic principles are encouraged to explore innovative approaches to organization.

Standards in subchapter 11.4 relate to the general management and administration of the agency, including the agency's reporting system and the forms used. The agency's administrative reporting system will most likely be affected by new systems established through self-assessment or changes in technology. The agency should ensure that its reporting systems are providing timely information needed for the effective management of the organization. Numerous time-sensitive reporting systems (inspections, analyses, audits, reports) are affected by specific accreditation standards. Performance in these time-sensitive areas will be a focus of on-site assessments.

### 11.1 Organizational Structure

**11.1.1** *A written directive describes the agency's organizational structure and functions and is available to all personnel.*

**Commentary:** The agency may determine its own organizational structure. In organizing/reorganizing, the agency should consider applicable standards within the various chapters of the standards manual. The intent of this standard is to provide a written description of the agency's organization. The agency's organizational chart (see standard 11.1.2) should coincide with this description.

Functional responsibility may be assigned to an individual position or a component specifically created and staffed (subchapter 16.1). Functional responsibility for several activities could also be assigned to a single position or component, as needed. (M M M M)

**11.1.2** *The agency's organizational structure is depicted graphically on an organizational chart that is reviewed and updated as needed. The chart is accessible to all personnel.*



**Commentary:** The chart should coincide with the written description and reflect the formal lines of authority and communication within the agency. (M M M M)

## **11.2 Unity of Command**

**11.2.1** *Each employee is accountable to only one supervisor at any given time.*

**Commentary:** Agencies with decentralized strategies or community oriented policing may deploy supervisors geographically rather than temporally. Employees should have a clear understanding of the reporting relationship and accessibility to a supervisor. (M M M M)

**11.2.2** *Each organizational component is under the direct command of only one supervisor.*

**Commentary:** None. (M M M M)

## **11.3 Authority and Responsibility**

**11.3.1** *A written directive requires that:*

- a. responsibility is accompanied by commensurate authority; and*
- b. each employee is accountable for the use of delegated authority.*

**Commentary:** At every level within the agency, personnel should be given the authority to make decisions necessary for the effective execution of their responsibilities. The delegation of authority should be consistent with the agency's organizational values and mission statement. (M M M M)

**11.3.2** *A written directive states that supervisory personnel are accountable for the activities of employees under their immediate control.*

**Commentary:** None. (M M M M)

## **11.4 General Management and Administration**

**11.4.1** *A written directive specifies an agency administrative reporting program, to include:*

- a. a listing of all administrative reports;*
- b. a statement as to the person(s) or position(s) responsible for the formulation of the report(s);*
- c. a statement of the purpose of the report(s);*
- d. a statement of the frequency of the report(s); and*
- e. a statement of the distribution of the report(s).*

**Commentary:** Examples of administrative reports include daily reports, monthly reports, annual reports, etc. These reports are designed to provide information within the agency on a day-to-day operational basis as well as provide a mechanism to report agency activities outside the immediate structure of the agency. The periodic reports required by CALEA standards that are applicable to the agency may be included on the list of administrative reports (standard 11.4.3). (O O O O)

**11.4.2** *The agency has a written directive to ensure accountability for agency forms that includes procedures for development, modification, approval, and review.*

**Commentary:** The intent of this standard is to ensure accountability of all forms used by the agency. This standard does not apply to forms supplied by other agencies, e.g., courts, for departmental use, or to forms controlled by another level of government, e.g., a state traffic authority. The responsibility for the forms development and control should be vested in an identifiable person or function. The procedures should ensure that the information on agency forms is not duplicated; that the review for new or modified forms includes the functions that the forms should be used for; that the format is consistent with the records maintenance or data-processing requirements of the agency; and that the chief executive officer, or designee, should be required to approve forms prior to use. (O O O O)

**11.4.3** *A written directive describes the agency's system for ensuring that periodic reports, reviews, and other activities mandated by applicable accreditation standards are accomplished.*

**Commentary:** This standard may be complied with by the use of either a manual or automated system or a combination of the two. The written description of the system used need only be as detailed as required to acquaint an individual with limited knowledge of accreditation matters with an understanding of how the system works, and what individuals have responsibility for specific steps in the process. The system should ensure that the periodically required activities take place and identify and correct instances where a requirement was not met. The agency may choose to place this system within any organizational entity the agency deems appropriate. (M M M M)

**11.4.4** *A written directive establishes a policy for the introduction of computer software and data disks into agency-controlled computer systems hardware.*

**Commentary:** The introduction of data or software from nonsecure sources could result in a corruption of the host system. A security protocol should be established for all data disks or software applications prior to introduction in to the agency computer systems. The agency should also ensure that all software programs are properly licensed and being used for their intended application. (M M M M)

**11.4.5** *A written directive describes the procedure for notifying the agency's chief executive officer or designee of incidents where there may be a question as to the agency's liability or those which may result in heightened community interest.*

**Commentary:** The directive should specify the nature of those incidents that should be brought immediately to the attention of the agency's chief executive officer and those that can be postponed to a later time. An agency should carefully examine all incidents wherein its employees have allegedly performed in a manner that created an increased likeliness of death or serious injury to persons or significant loss of property. (M M M M)

# 12

## DIRECTION

Standards in this chapter relate to direction and supervision. They are concerned with chain of command, chief executive officer authority, supervisory accountability, and a written directive system.

Accredited agencies must have a formal written directive system. The system can be in paper or electronic form. Components of the written directive system should be suited for the specific communications needs and capabilities of the agency. Clarity and rapid access to information are essential to effective implementation of agency written directives.

The agency's written directive system should evolve from its legal authority, core values, and mission statement. All agency personnel should have a clear understanding of their individual discretionary powers in carrying out their duties in accordance with agency written policy, procedure, rules, and regulations.

The glossary terms "written directive," "policy," "procedure," and "rules and regulations" should be reviewed carefully before assembling proofs of compliance for written directive standards to avoid confusion with agency terminology. Some standards require a *specific* category of written directive. For example:

- A "written directive" is a general term, encompassing other categories;
- A "policy" is broad declaration of agency intent, goals, mission, etc;
- A "procedure" contains step-by-step guidelines or requirements; and
- A "plan" is developed in anticipation of a future event.

To ensure proper compliance with each standard, carefully compare the proofs of compliance with the type of directive listed in the standard statement.

### 12.1 Direction

**12.1.1** *A written statement issued by a unit of government, a law or ordinance, or combination thereof designates the authority and responsibility of the chief executive officer.*

**Commentary:** None. (M M M M)

**12.1.2** *A written directive establishes the command protocol for the following situations, at a minimum:*

- a. *in the absence of the chief executive officer;*
- b. *in exceptional situations;*
- c. *in situations involving personnel of different functions engaged in a single operation; and*
- d. *in normal day-to-day agency operations.*

**Commentary:** A system of succession should be established to ensure that leadership is available when the agency's chief executive officer is incapacitated, off duty, out of town, or otherwise unable to command. For anticipated absences for extended periods, the CEO should designate, in writing, an "acting" authority. Command also may be predetermined for certain emergency or critical incidents (see Chapter 46) and for specific operational activities. Command protocol should clarify authority, alleviate confusion, and ensure uninterrupted leadership (see standard 61.2.3). (M M M M)

**12.1.3** *A written directive requires employees to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. The directive must also include procedures to be followed by an employee who receives a conflicting or unlawful order.*

**Commentary:** None. (M M M M)

**12.1.4** *A written directive establishes procedures for communication, coordination, and cooperation among all agency functions and personnel.*

**Commentary:** The agency should encourage and support the exchange of information among all agency functions and personnel for the purpose of coordinating activities. There are a number of ways to communicate information, such as attendance of investigative personnel at patrol shift briefings (see standard 42.2.4), staff meetings, e-mail, voice mail, other electronic systems, and exchange of daily bulletins. (O O O O)

## **12.2 Written Directives**

**12.2.1** *The agency has a written directive system that includes, at a minimum, the following:*

- a. *agency values and mission statement;*
- b. *a statement that vests in the agency's chief executive officer the authority to issue, modify, or approve agency written directives;*
- c. *identification of the persons or positions, other than the agency's chief executive officer, authorized to issue written directives;*
- d. *a description of the written directives system format;*
- e. *procedures for indexing, purging, and revising directives;*
- f. *statements of agency policy;*
- g. *rules and regulations;*
- h. *procedures for carrying out agency activities; and*
- i. *procedures for review of proposed or revised policies, procedures, rules, and regulations prior to their promulgation to ensure they do not contradict other existing agency directives or applicable law.*

**Commentary:** The agency should establish a formal written directive system to provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. The written directive system should permit rapid access to individual policies, procedures, rules and regulations, and should differentiate types of directives, e.g., general order, special order, personnel order.

Each agency has the latitude to use a variety of types of written directives. However, the agency should make it clear what level of authority is required to issue each type of directive, e.g., only the CEO may issue rules and regulations, division commanders may issue standard operating procedures. The agency should also make it clear that a written directive pertaining to a subordinate component may not contradict a directive issued by a higher level authority, e.g., a division procedures manual may not contradict an agency-wide regulation. Every written directive should be reviewed annually by the issuing authority to determine if changes should be made because of changed circumstances or occurrences during the previous year. (M M M M)

**12.2.2** *A written directive establishes procedures for the dissemination and storage of agency written directives, and addresses at a minimum, the following:*

- a. *dissemination of existing, new, or newly revised directives to all affected personnel whether (1) in hard-copy form or (2) through a computerized documentation system, backed up by hard copies of the directives or electronic media containing the directives in sufficient number to place at specified accessible locations for reference by all affected personnel;*
- b. *storage of written directives whether (1) by their incorporation into manuals or (2) by their storage in a computerized documentation system and placement of hard copies in manuals or electronic media containing the directives placed at specified accessible locations for reference by all affected personnel; and*
- c. *acknowledgment indicating receipt and review of disseminated directives by affected personnel whether in written form or in some other way that is at least equally effective.*

**Commentary:** Regarding the option of disseminating written directives in hard-copy form, the agency may either distribute the directives to each person affected by them or place the directives at specified locations if timely access to the directives for reference by affected personnel can be assured. Regarding the computerized dissemination system, back-up hard copies in an accessible media form are placed at specified accessible locations so that personnel can refer to directives in a timely manner when, for example, the computerized documentation system is not operating or otherwise inaccessible. The media form can be CD ROM, computer floppy disk, or the traditional printed format.

Bullet (c) requires that, within a reasonable period after issuance, employee receipt and review is documented. In the context of a computerized documentation system, “receipt” means that an issued directive has been electronically accessed, or printed out by the intended recipient. “Acknowledgment” means the recipient creates a record of each receipt and review. The task of assuring that recipients correctly understand written directives is, in part, a function of training, such as noted in standards 33.4.1, 33.5.1 and 33.7.1. (M M M M)

# 15

## PLANNING AND RESEARCH, GOALS AND OBJECTIVES, AND CRIME ANALYSIS

Standards in subchapter 15.1 relate to the planning and research activities of the agency. Planning is the development of strategies for bringing about a desirable future condition. Planning for a law enforcement agency involves the development and utilization of limited personnel, equipment, and resources in ways that will favorably affect future public welfare. Depending on their size and mandate, all law enforcement agencies should perform certain planning functions.

Standards in subchapter 15.2 relate to agency goals and objectives.

Crime analysis (subchapter 15.3) is a law enforcement agency function whereby data relating to crime are collected, collated, analyzed, and disseminated. Data are primarily generated from records and reports within the law enforcement agency. Additional data may be obtained from outside sources, such as other law enforcement agencies, other agencies of the criminal justice system, other government agencies, and private organizations.

Crime analysis represents a system utilizing regularly collected information on reported crimes and criminals to prevent and suppress crime and to apprehend criminal offenders. Crime analysis is a scientific process in the sense that it involves the collection of valid and reliable data, employs systematic techniques of analysis, and seeks to determine, for predictive purposes, the frequency with which events occur and the extent to which they are associated with other events. The collection, analysis, and distribution of readily available crime data information to affected personnel will enhance agency effectiveness.

The information obtained by analyzing the data is used to support management and operations. Line function officers are provided with information that can benefit them in the development of daily operational and tactical plans. Staff functions receive information for use in strategic planning as it relates to such topics as crime trends, agency resource allocation, crime prevention, and other associated areas. The standards in this chapter address crime analysis as it relates to both strategic and tactical activities.

### 15.1 Planning and Research

**15.1.1** *A written directive describes the activities of the planning and research function.*

**Commentary:** None. (N/A O M M)

**15.1.2** *Operational and organizational placement of the planning and research function ensures that the person responsible for this function has ready access to the agency's chief executive officer.*

**Commentary:** The planning and research effort should be related as directly as possible to the agency's chief executive officer. (N/A O M M)

**15.1.3** *The agency has a current, multiyear plan, which includes the following:*

- a. long-term goals and operational objectives;*
- b. anticipated workload and population trends;*
- c. anticipated personnel levels;*
- d. anticipated capital improvements and equipment needs; and*
- e. provisions for review and revision as needed.*

**Commentary:** The planning process and its end product are essential to effective agency management. The agency should have a clear written articulation of goals and objectives and a plan for achieving them. The plan should cover successive years beyond the current budget year and should contain provisions for frequent updating. (N/A O M M)

## **15.2 Goals and Objectives**

**15.2.1** *A written directive requires the formulation and annual updating of written goals and objectives for the agency and for each major organizational component within the agency. Established goals and objectives are made available to all agency personnel.*

**Commentary:** Commanding officers should be held accountable for those portions of the agency's goals and objectives that relate to their functions. For purposes of this standard, a "major component" is a bureau, division, or other component depicted on the organizational chart as the first or second level below the agency's CEO, or the CEO may designate the organizational levels or functions for participation. (M M M M)

**15.2.2** *The agency has a system for evaluating the progress made toward the attainment of goals and objectives.*

**Commentary:** None. (M M M M)

## **15.3 Crime Analysis**

**15.3.1** *A written directive establishes crime analysis procedures to include, at a minimum:*

- a. identifying documents from which crime analysis data elements are extracted;*
- b. disseminating analysis findings; and*
- c. briefing the agency's chief executive officer on crime patterns or trends.*

**Commentary:** Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of

operation of individual criminals, providing crime pattern recognition, and providing analyses of data from field interrogations and arrests. Also, crime analysis can be useful to the agency's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. The agency should choose the most effective method for the timely distribution of analysis information that may include shift briefing, shift information logs, or direct contact with supervisors. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the agency's strategic plans should be provided to the appropriate staff units.

When information pertains to tactical and strategic plans, it should be provided to all affected units.

The written directive should support the dissemination of specified crime information to enhance public information and generate community support. However, other information concerning operational needs, e.g., known offenders, *modus operandi*, suspects, and investigative leads, should be carefully controlled. Distribution may also include other components of the criminal justice system.

For its crime analysis operation to remain effective, an agency should have feedback mechanisms in place so that adjustments can be made to the analysis process based on the input of those operational components using the analyses produced. (O M M M)





# 16

## ALLOCATION AND DISTRIBUTION OF PERSONNEL AND PERSONNEL ALTERNATIVES

Standards in the first section of this chapter are intended to encourage the appropriate deployment of personnel by determining service demands through the use of (1) workload assessments and (2) computer-based or manual methods of personnel allocation and distribution.

Workload assessments are not necessarily scientific determinations of needs for service but rather involve deliberations to ascertain the number of personnel necessary to complete a specific number of tasks or to fulfill certain objectives. In contrast, some systems for allocating patrol, traffic, and investigative personnel and for distributing patrol personnel may use computer based technology or specific formulas for deploying personnel. While the patrol component of the agency is usually analyzed more frequently to determine workload and establish reasonable response times to calls for service, all components of the agency should be periodically assessed for workload and service demands to ensure the best possible service to the public.

Standards in 16.1 address the allocation and distribution of personnel. Allocation, as defined here, is the determination of the overall numbers of personnel for the agency and for each organizational component within the agency. Personnel are distributed within a component according to various needs, e.g., temporal requirements, geographical coverage, community policing strategies, and service demands.

Standards in 16.2 involve establishment of a means for governing specialized assignments as well as procedures related to announcement of openings and the specification of selection criteria related to specialized assignments.

Standards in the remaining two sections of this chapter are intended to encourage the utilization of civilian employees, where appropriate, and ensure that law enforcement officers are assigned to activities requiring law enforcement authority or expertise. Personnel alternatives are not intended as a substitute for law enforcement officers in those positions requiring law enforcement authority. Rather, personnel alternatives are intended to achieve the use of law enforcement officers in the appropriate configuration supported by civilian staff.

Standards in 16.3 (Reserves) cover part-time, trained, sworn law enforcement officers used to supplement, but not replace, full-time, sworn personnel.

Standards in 16.4 (Auxiliaries) cover volunteers selected on the basis of their interest in and concern for the needs of law enforcement. Auxiliaries do not have the authority to make a full custody arrest.

## 16.1 Allocation and Distribution of Personnel

**16.1.1** *The agency has a position management system, which provides the following information:*

- a. *the number and type of each position authorized in the agency's budget;*
- b. *location of each authorized position within the agency's organizational structure; and*
- c. *position status information, whether filled or vacant, for each authorized position in the agency.*

**Commentary:** The intent of this standard is to establish controls on the number, type, and location of all authorized positions in the agency and to determine whether each position is filled or vacant. Accurate information on position status should ensure that persons on the payroll are legally employed and that positions are filled in accordance with budget authorizations. Accurate accounting of positions should also facilitate recruitment, selection, and training schedules; allow for accurate decisions in filling vacant positions through transfers and promotions; enhance career development; and reduce grievances. (N/A O O M)

**16.1.2** *The agency allocates personnel to, and distributes them within, all organizational components in accordance with documented workload assessments conducted at least once every three years.*

**Commentary:** The intent of the standard is to encourage the equalization of individual workloads among and within organizational components. The analysis should specify all incidents and factors used in making each workload assessment and indicate any time and location factors necessary to complete a task. The method used to determine workload assessments in the patrol component will generally differ from other components within the agency, however, all components should periodically receive an assessment, especially if the agency is in a strategic transition such as the implementation of community oriented or problem oriented policing.

Basing the allocation of personnel on workload demands can have a significant influence on the efficiency and effectiveness of the agency. The agency should attempt to prevent over or understaffing by ensuring that the personnel strength of an organizational component is consistent with the workload. The nature or number of tasks and their complexity, location, and time required for completion are some of the factors influencing workload demands. The process of allocating personnel to each organizational component also permits the agency to determine the overall number of personnel required to meet its needs and fulfill its objectives.

The allocation of personnel to the patrol component should, at a minimum, take into account the number of incidents handled by patrol personnel during the specified period; the average time required to handle an incident at the patrol level, which can be computed through a sampling of cases; calculation of the percent of time, on the average, that should be available to the patrol officer for handling incidents during a specified period, such as an eight-hour shift; and time lost through days off, holidays, and other leave, compared to total time required for each patrol assignment.

Patrol personnel should be distributed in accordance with temporal and geographic distribution of incidents or in accordance with community policing strategies. This is one of the primary means of

improving the agency efficiency and effectiveness. The agency's system for determining the appropriate proportional distribution should take into account incidents, locations, variations in workload, and deployment strategies. The workload assessment system should be documented and include an outline of the calculations required, plus any source documents, personnel, and/or equipment necessary to accomplish the task. There is no single assessment system that is suited for every agency's needs. Using reliable data and reasonable calculations, the agency should reach valid conclusions about workload within each component of the agency. Periodic assessments of all components of the agency should help support increased agency performance and service delivery with available resources. The assessments may also help identify unusual workload demands that can be addressed through new management strategies. (N/A O M M)

## 16.2 Specialized Assignment

**16.2.1** *A written directive requires an annual documented review of each specialized assignment for the purpose of determining whether it should be continued. This review shall include:*

- a. *a listing of the agency's specialized assignments;*
- b. *a statement of purpose for each listed assignment; and*
- c. *the evaluation of the initial problem or condition that required the implementation of the specialized assignment.*

**Commentary:** Decisions regarding the continuation of specialized assignments are important to the agency. The agency is given wide latitude in identifying specialized assignments, but should consider standard 16.2.2 and determine which assignments might be better served with agencywide competition and selection criteria. The development of an annual formalized review of all specialized assignments should help avoid overspecialization and ensure the continued effective control of agency specialization. (N/A O O O)

**16.2.2** *The agency announces anticipated openings for specialized assignments agencywide and fills those positions through a selection process.*

**Commentary:** Advertising agencywide for specialized assignment openings provides a large base of candidates and gives employees a greater choice of career opportunities. It also minimizes the feeling that selection is based on favoritism. However, for security reasons, it is not necessary for the agency to announce, in writing, openings for undercover or similar assignments.

The agencywide announcement should describe the selection criteria for the position(s) to be filled. The criteria should be based on the skills, knowledge, and abilities required for the specialized assignment, including formal education, experience, any specialized skills, and length of experience required.

The agency should fill vacant specialized assignments through a selection process. The process may be informal but should consider all responses to the announcement and follow the criteria established. (N/A O O O)

**16.2.3** *If the agency allows temporary or rotating assignment of sworn personnel, a written directive describing the agency procedure, will include:*

- a. *identification of the positions which are available for temporary or rotational assignment;*
- b. *the duration of assignments;*
- c. *the criteria for selection of personnel; and*
- d. *description of the selection procedures.*

**Commentary:** Through temporary assignments and job rotation, the employee may be afforded an opportunity for individual growth as well as improved job satisfaction and performance. As employees acquire additional skills, knowledge, and abilities, the agency benefits from an expanded pool of employees prepared to assume the responsibilities of a number of positions. (OOOO)

### 16.3 Reserves

**16.3.1** *A written directive establishes and describes the agency's reserve officer program.*

**Commentary:** Terminology describing reserve officers can vary from jurisdiction to jurisdiction and for the purpose of this manual, the glossary term will be used. Reserve officers generally assist full-time sworn personnel in the day-to-day delivery of law enforcement services and for emergencies, consistent with applicable law. To accomplish these tasks, they may require law enforcement powers equivalent to those of full-time officers. The directive should describe the duties and responsibilities of reserve officers, define their authority and discretion in carrying out their duties, including any limitations or restrictions to this authority, and delineate the amount of supervision they are to receive. (MMMM)

**Commission Interpretation (November 16, 2001)**— The Commission acknowledges that some agencies utilize reserve officers who do not meet the definition of an “employee.” For example, some agencies utilize volunteer reserve officers and the absence of wages or salary exclude them from the definition. For the purpose of this Standards Manual all reserve officers shall be considered “employees” when applying standards dealing with performance evaluations. Procedures and forms used for evaluating the performance of the agency’s reserve officers may be the same as those used for full-time sworn officers or they may differ significantly, based on distinctions made in the role, scope of authority, or responsibilities of the reserve officer.

**16.3.2** *The selection criteria for reserves are the same as that for full-time officers.*

**Commentary:** Reserve officers are required to perform the same duties and accept the same hazards and responsibilities as full-time officers. Educational level, experience, physical condition, and other selection criteria applicable to full-time officers apply equally to reserves. Some reserve officers may bring with them specialized skills not normally found in entry-level, full-time officers. The process of selection may be different from that of full-time officers, but the criteria are the same. (MMMM)

**Commission Interpretation (March 21, 1997)**— concerning “Education Criteria”: If an agency utilizes a restricted category of reserve officer, one who works only in the presence of a full-time sworn officer of the agency; never works independently or without direct supervision; and does not autonomously perform the same duties as full-time officers; then that agency may fulfill the educational level requirement of this standard for those specific reserve officers through proof of their graduation from high school or equivalent. All other selection criteria applicable to full-time officers will apply. Reserve

officers who are allowed to function independently must adhere to all selection criteria of the agency; to include any advanced educational requirements.

**16.3.3** *The agency requires all sworn reserve officers to complete a recruit academy training program comparable to that required in standard 33.4.1, prior to any routine assignment in any capacity in which the reserve officer is allowed to carry a weapon or is in a position to make an arrest, except as part of a formal field training program required in standard 33.4.3. If the agency restricts or prohibits reserves from performing specific functions, topics related to those functions may be omitted from the curriculum.*

**Commentary:** The intent of this standard is to ensure that reserve officers receive training equal to that required of full-time officers in those areas of assigned duties and responsibilities. The training should be the same as that received by full-time officers or an equivalent, parallel course that meets the requirements of standard 33.4.1. The subject matter in the training program should cover topics related to assigned duties and responsibilities to the same extent that full-time officers are trained to perform like functions. Training hours and schedule may vary to accommodate the reserve schedule and the course duration may be extended.

If a comparable recruit-training program for reserves exists in the state, successful completion of this program may fulfill the requirements of this standard. (M M M M)

**Commission Interpretation (March 14, 2008)**—If the reserve officer state certification training does not include critical task training identified by CALEA for the responsibilities performed by the reserve officer, such training must be delivered. Those critical tasks include: Community Interaction; Introduction to Basic Law; Post Crime Considerations; Introduction to Traffic; Field Activities; Use of Force; First Aid for Criminal Justice Officers; Law Enforcement Vehicle Operations; and Personnel. Further information regarding critical tasks may be found on the CALEA website.

**16.3.4** *Uniforms and equipment for reserve officers are the same as those for full-time officers performing like functions.*

**Commentary:** Equipment and uniforms for reserve officers, except for insignia, patches, or badges, should not be distinguishable from those of full-time officers. However, quantity of uniforms and equipment may be reduced to reflect the level of activity of reserve officers. The purchase of equipment/uniforms may be the responsibility of the reserve officer. (O O O O)

**16.3.5** *Reserve officers receive in-service training equivalent to that statutorily required for full-time officers performing like functions.*

**Commentary:** None. (M M M M)

**16.3.6** *Reserve officers are trained in use of force policy(s) and tested for weapons proficiency with the same frequency as full-time officers in accordance with standard 1.3.11.*

**Commentary:** Reserve officers' schedules may not permit participation in regularly scheduled weapons training. They should qualify either as a part of the regularly scheduled program or in a special

reserve qualifications program. Qualifying standards and scores for reserve officers should be identical to those for regular officers. (M M M M)

**16.3.7** *Reserve officers are bonded and/or provided with public liability protection equal to that provided to full-time officers.*

**Commentary:** The protection attached to the functions of full-time officers should be provided to reserve officers. (M M M M)

**16.3.8** *A written directive requires performance evaluations for reserve officers be conducted in accordance with the standards in Chapter 35 (Performance Evaluation).*

**Commentary:** None. (M M M M)

## **16.4 Auxiliaries**

**16.4.1** *A written directive establishes and describes the agency's auxiliary program, to include:*

- a. a statement that auxiliaries are not sworn officers; and*
- b. a description of the duties of auxiliaries, including their role and scope of authority.*

**Commentary:** Auxiliaries are not commissioned as law enforcement officers and do not have the authority to make a full custody arrest. Auxiliaries may be assigned to law enforcement related community service functions. They can also be used as a resource in emergencies and large-scale special events. Generally, they receive significantly less training than sworn officers or full-time employees. However if the agency chooses to involve them in various activities to assist in the day-to-day delivery of law enforcement services, it should ensure that their duties do not require the status of a sworn officer, their level of training is adjusted according to the scope of their authority, and that unauthorized weapons or equipment are not carried in the performance of their duties. (M M M M)

**16.4.2** *Auxiliaries receive training in those authorized and assigned duties.*

**Commentary:** Auxiliaries may provide services to support any law enforcement duties not requiring sworn officer status. However, if the agency chooses to use them, auxiliaries should receive training appropriate to the duties anticipated. (M M M M)

**16.4.3** *If auxiliaries wear uniforms, the uniforms clearly distinguish them from sworn officers.*

**Commentary:** To have an auxiliary appear to be a regularly sworn officer can be hazardous to the auxiliary, confusing to the public, and a potential detriment to the image of the agency. Unless the auxiliary is clearly distinguishable from the sworn officer, members of the community may expect assistance in situations for which the auxiliary is not trained or empowered to act. Purchase of the uniform may be the responsibility of the auxiliary. (M M M M) **Compliance may be OBSERVED.**

## FISCAL MANAGEMENT AND AGENCY PROPERTY

Standards in this chapter relate to administration, budgeting, purchasing, accounting, and procedures for the inventory and control of agency-owned or leased property.

Authority and responsibilities for fiscal management should be established in writing. There should be provisions for obtaining the input of the heads of major organizational components within the agency and for the agency's chief executive officer to participate in the agency's budget deliberations.

No attempt has been made to suggest a preference for any one budgetary system over another, primarily because the nature of the agency's system is usually determined by the kind of system in use in the government.

There should be provisions for managing the purchasing process consistent with authorized budget approvals and for making purchasing as effective and efficient as possible.

Accounting procedures should be compatible with those of the governing jurisdiction. Many functions/components within an agency receive, manage, and disburse monies. A variety of investigative functions maintain funds for informants, buy-money, and undercover expenses. Support functions may receive cash for fees, licenses, fines, or other purposes on behalf of the agency or to assist another agency after hours or on weekends and holidays. Fees are frequently charged for services, such as photocopying, fingerprinting, and record checks.

Finally, internal activities are sometimes operative which generate funds for the good of all employees, charitable donations, or traveler's aid. All such funds should be recorded, managed under the same procedural guidelines, and audited. The accounting system is intended to prevent budget discrepancies and to make sure that the projected flow of funds is proceeding as planned.

Lastly, this chapter deals with the management of agency-owned or leased property. Standards address the inventory of existing capital assets, procedures for adding and replacing assets and equipment, and maintaining equipment in a state of operational readiness.



## 17.1 Fiscal Management

**17.1.1** *The agency's chief executive officer is designated as having the authority and responsibility for the fiscal management of the agency, either through a written statement issued by the government, or by a law or ordinance, or by a combination of the two.*

**Commentary:** Although fiscal management functions may be delegated to a designated function or component, the agency's chief executive officer should have the ultimate authority and accountability over all fiscal matters of the agency. (O O O O)

## 17.2 Budget

**17.2.1** *A written directive describes the agency's internal budget process and assigns the responsibility for budget preparation and management within the agency.*

**Commentary:** The agency may determine its own method of budgeting. Even though many agencies must comply with budget process requirements, including reporting deadlines, reporting procedures, etc., established by other governmental agencies, this standard is intended to document the agency's internal procedures for uniformity and clarity. The written directive should describe the agency's internal deadlines for scheduled activities, types and use of forms, even if those forms are provided by another governmental agency. (N/A O O O)

**17.2.2** *Major components within the agency annually prepare written budget recommendations.*

**Commentary:** Commanding officers should be held accountable for those portions of the agency's budget that relate to their functions. For purposes of this standard, a "major component" is a bureau, division, or other component depicted on the organizational chart as the first or second level below the agency's CEO, or the CEO may designate the organizational levels or functions for participation. (N/A O O O)

## 17.3 Purchasing

**17.3.1** *A written directive governs procedures for the requisition and purchase of agency equipment and supplies to include, at a minimum:*

- a. specifications for items requiring standardized purchases;*
- b. bidding procedures;*
- c. criteria for the selection of vendors and bidders;*
- d. procedures for the emergency purchasing or rental agreements for equipment; and*
- e. procedures for requesting supplemental or emergency appropriation and fund transfer.*

**Commentary:** The intent of the standard is to establish formal procedures for controlling the requisitioning and purchasing of agency supplies and equipment. The standard may be satisfied through evidence of the use of a purchasing procedure in general use by the government, provided the conditions included in the standard are met. (M M M M)

## 17.4 Accounting

**17.4.1** *The agency has an accounting system that includes approval of each account and, at a minimum, provisions for monthly status reports showing:*

- a. *initial appropriation for each account (or program);*
- b. *balances at the commencement of the monthly period;*
- c. *expenditures and encumbrances made during the period; and*
- d. *unencumbered balance.*

**Commentary:** This standard applies to all functions and components in the agency. The CEO should authorize all accounts or funds within the agency. The accounting system should be compatible with, or may be a part of, the central accounting system of the governing jurisdiction. It is essential that the agency establish such a system to ensure an orderly, accurate, and complete documentation of the flow of funds. Each appropriation and expenditure should be classified, at a minimum, according to function, organizational component, activity, object, and program. Data-processing systems can facilitate rapid retrieval of information on the status of appropriations and expenditures any time the information is required.

It is intended that each function retain its autonomy over operation of its account or fund but that there are uniform guidelines for management and oversight of each. (MMMM)

**17.4.2** *A written directive lists all cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash and governs the maintenance of those accounts. The written directive includes, at a minimum:*

- a. *a balance sheet, ledger, or other system that identifies initial balance, credits (cash income received), debits (cash disbursed), and the balance on hand;*
- b. *receipts or documentation for cash received;*
- c. *authorization for cash disbursement, including CEO authorization for expenses in excess of a given amount;*
- d. *records, documentation, or invoice requirements for cash expenditures;*
- e. *persons or positions authorized to disburse or accept cash; and*
- f. *quarterly accounting of agency cash activities.*

**Commentary:** It is imperative supervisors closely monitor all cash accounts and that the agency establish procedures to ensure proper handling of all cash. These procedures are inclusive of petty cash funds, cash received in records, investigative funds (see standard 43.1.3 in reference to budgeting of confidential funds), and all other instances where cash funds are maintained or cash is received or disbursed. (MMMM)

**17.4.3** *A written directive governs procedures for an independent audit of the agency's fiscal activities.*

**Commentary:** As a basis for determining the financial integrity of the agency's fiscal control procedures, an independent audit should be conducted at least annually or at a time stipulated by applicable statute or regulation. (M M M M)

## **17.5 Agency Property**

**17.5.1** *If the inventory and control of agency property is regulated by an outside authority, the agency must meet those guidelines. Absent external controlling directives, the agency has a written directive that establishes internal procedures for inventory and control of agency property and equipment.*

**Commentary:** This function may be guided by directives or statutes promulgated outside of the agency. If such guidelines do not exist, the agency should adopt procedures that ensure adequate property control. (M M M M)

**17.5.2** *A written directive establishes procedures for issuing/reissuing agency property to authorized users.*

**Commentary:** None. (M M M M)

**17.5.3** *A written directive designates that maintaining stored agency property in a state of operational readiness is a responsibility of the person or unit to which the property is assigned.*

**Commentary:** The property management function is responsible for ensuring that stored items of the agency's equipment—such as radios, handcuffs, batons, and items of special equipment, such as radar, cameras, and closed-circuit TV surveillance devices are maintained in a state of operational readiness. The term “operational readiness” includes care and cleaning, preventive maintenance, repair, workability, and responsiveness. The operational readiness of equipment should be inspected at regular intervals. (M M M M)

# 21

## CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES

Standards in this chapter relate to task analysis, classification, and processes and procedures used to describe the nature of the work performed by the agency employees.

Human resource management literature utilizes many terms to describe work activities—job, position, duty, function, task, job element, job dimension, and responsibility—and analysts utilize the terms differently. The most commonly used definitions of key evaluation terms have been selected for use in this chapter and are specifically defined in the glossary.

The glossary term “task analysis” is used to describe a systematic, structured process for dissecting a job into its basic parts. In all forms, a task analysis entails the identification of the important or essential elements of a job. In most situations, this involves an identification of the important or essential work behaviors and the skills, knowledge, and abilities (SKA’s) required for these work behaviors.

The results of a successful task analysis will provide the foundation for a wide variety of personnel, administration, and management functions. These functions include developing job descriptions, establishing a job classification and compensation plan, providing a job-related focus for developing and implementing recruitment strategies, developing and validating hiring and promotion procedures, establishing spans of control, determining training requirements, and evaluating employee performance. Furthermore, the comprehensive, objective data generated by task analysis can provide strong evidence in legal and judicial proceedings concerning hiring and promotion programs.

### 21.1 Task Analysis

**21.1.1** *A written task analysis of every class of full-time employee in the agency is conducted, maintained on file and includes, at a minimum:*

- a. the work behaviors (duties, responsibilities, functions, tasks, etc.);*
- b. the frequency with which the work behavior occurs; and*
- c. how critical the job-related skills, knowledge, and abilities are.*

**Commentary:** A task analysis is basic to proper human resource management. Analyses should be required for all classes of full-time employees in the agency. Hiring, promotion, training, and job performance evaluation criteria should be established by task analysis.

Pertinent information about work behaviors may be obtained through observation, individual or group interviews, content analysis of work products, and questionnaires. After the work behaviors have been defined either in terms of duties, tasks, functions, or other grouping scheme, a similar process should be employed to define the skills, knowledge, and abilities required of the employee in performing the important work behaviors.

The task analysis should produce information about the class that is specific, objective, comprehensive, and, most importantly, verifiable by independent review. The results of the study should be incorporated in job descriptions prepared by the agency.

Analyses should be guided by personnel, either inside or outside the agency, who possess training and/or experience in evaluating jobs. Incumbents and their first- and second-level supervisors should be viewed as significant sources of information concerning the classes under study.

The analyses should be updated when significant changes in the classes occur, whether through attrition, modification, or deletion of duties and responsibilities, e.g., may be done in conjunction with changes in departmental functions, staff inspection, or changes in organizational strategies. (O O O O)

## **21.2 Classification**

**21.2.1** *The agency has a written classification plan, that includes:*

- a. *categorization of every job by class on the basis of similarities in duties, responsibilities, and qualification requirements;*
- b. *class specifications;*
- c. *provisions for relating compensation to classes; and*
- d. *provisions for reclassification.*

**Commentary:** Classification involves describing the different kinds of work performed in an agency and consolidating similar jobs into classes based upon similarity of duties and responsibilities. Since “classes” in a law enforcement agency are usually linked to rank, the classification plan should specify the class titles and general duties, responsibilities, and qualifications for each traditional rank in the agency, such as police officer, deputy sheriff, sergeant, lieutenant, captain, and chief. The establishment of a structured classification plan with general requirements for each class should allow agencies to achieve more efficient administration, compensation, and equitable treatment of personnel.

(N/A O O O)

**21.2.2** *The agency maintains current job descriptions covering all employees, which are made available to all personnel.*

**Commentary:** Statements of duties and responsibilities for each job within the agency should be prepared and made available to managers, supervisors, and all other agency employees. Such statements are key elements in achieving more effective management and supervision. (M M M M)

## COMPENSATION, BENEFITS, AND CONDITIONS OF WORK

Compensation and benefits programs should be documented, fairly and equitably applied, and competitive with compensation and benefits offered in the labor market.

While in many jurisdictions a central personnel agency is responsible for defining and administering personnel functions for all local agencies, including the law enforcement agency, the chief executive officer should retain certain prerogatives and control of compensation and benefits provided employees. The chief executive officer should also have a role in the development and review of applicable policies and programs relative to compensation, benefits, and conditions of work.

### 22.1 Compensation

**22.1.1** *A written directive describes the agency's salary program, to include:*

- a. entry-level salary for the agency;*
- b. salary differential within ranks, if any;*
- c. salary differential between ranks;*
- d. salary levels for those with special skills, if any;*
- e. compensatory time policy;*
- f. overtime policy; and*
- g. the provision of salary augmentation.*

**Commentary:** The salary plan for the agency should take into account agency employment standards, agency skill needs, and salary levels offered by other local employers. The salary plan should be based on the agency's position classification plan and provide for differentiation between ranks, uniform percentage increases between classes and ranks, and room within the ranges for recognition of superior performance.

There should be sufficient salary differential between ranks to provide incentive for promotion and to recognize more complex levels of responsibility.

The policy of the agency concerning the use of compensatory time off in lieu of pay, if utilized, should include conditions under which the policy would be applied, rate of accrual, and procedures for application. Overtime policy should be fully described as to what is provided, under what conditions, and the percentage of base hourly rate to be provided.

In addition to overtime and merit, salary augmentations may include, among others, hazardous duty and academic incentive pay. In each case, the salary plan should describe the conditions under which

different kinds of salary augmentation, if any, would be provided, the amount, and the period of time during which the augmentation would be given.

Special skills addressed in the salary program concern those employed as specialists, such as those in a crime laboratory, in communications repair, and the like. (MMMM)

## **22.2 Benefits**

**22.2.1** *A written directive describes the agency's leave program, to include:*

- a. administrative leave;*
- b. holiday leave;*
- c. sick leave,*
- d. vacation (annual) leave; and*
- e. family medical leave.*

**Commentary:** The circumstances and conditions under which administrative leave would be afforded an employee should be described. Limitations on the use of such leave and the procedures for application and approval should be included. Administrative leave may cover such matters as jury duty, periods of bereavement, sabbatical and temporary leaves of absence, to include family leave, military duty, and training.

Days established as holidays should be identified.

Policies regarding sick and vacation (annual) leave should be described, including accrual rates, limitation rates, if any, procedures for scheduling, supervision, and control. (MMMM)

**22.2.2** *The agency has written directives that describe the following personnel programs:*

- a. retirement program;*
- b. health insurance program;*
- c. disability and death benefits program;*
- d. liability protection program; and*
- e. employee educational benefits, if any.*

**Commentary:** The agency's retirement program may be provided by a local jurisdiction, the state, or the federal Social Security Act. The program may indicate a minimum-age requirement and a mandatory age for retirement. The directive should note the extent to which each benefit is available to the various classes of personnel employed by the agency (full-time, part-time, auxiliary, and reserve personnel, as appropriate).

The agency should, through insurance programs or direct financial support, provide compensation for temporary, partial, or total service connected disability. A monthly compensation for survivors in case of a service-connected death should be provided.

Specific provisions of the liability protection program should cover employees for actions or omissions directly related to their law enforcement function. The program should protect employees from liability

arising from acts or omissions leading to personal injury, death, or property destruction that, in turn, could lead to legal civil action against them.

When offered, educational benefits go beyond those opportunities provided employees through in-service, specialized, and advanced training. Generally, the employees pursue higher education on their own initiative and on their own time. Because the value of employees to the organization is enhanced by their continuing education, the agency should encourage and facilitate their pursuit of higher education and provide whatever tangible benefits it can to them for academic achievement. Educational benefits may include leave, scheduling adjustments and accommodation, tuition reimbursement, and salary augmentation based on educational achievement (see standard 33.1.3). (M M M M)

**22.2.3** *A written directive describes the agency's program for the provision of support services to employees.*

**Commentary:** Agencies, particularly larger agencies, may wish to consider establishing a separate employee services unit to facilitate the provision of support services to employees. Such services might include providing information on employee benefits and help for the employee and family in cases of injury or death. The services available should be described in writing to ensure that employees will know what services are available and that services are provided uniformly (see standard 22.2.4). (O O M M)

**22.2.4** *A written directive defines assistance services to be rendered to agency personnel and their families following line-of-duty deaths or serious injuries.*

**Commentary:** Appropriate agency-provided services include notifying the family of the dead or injured officer in a timely, personal manner, assisting the family at the hospital, supporting the family at the funeral and burial, helping the family with legal and benefits matters, counseling the family regarding finances and other possible problems, supporting the family during criminal proceedings (if any), and maintaining long-term contact with the family and keeping informed of family needs. (See Chapter 55, Victim/Witness Assistance). (M M M M)

**22.2.5** *A written directive describes the provision of clothing and equipment used by employees in performing law enforcement functions.*

**Commentary:** Certain employees are required to wear the agency's uniform and others are required to wear civilian clothes in law enforcement activities. Equipment is also needed by certain employees in the performance of their duties. The written directive should specify those eligible for clothing and equipment issue or allowances, specify the amount to be provided, and indicate the period for which it will be provided (see standards 41.3.4 and 41.3.5). (M M M M)

**22.2.6** *The agency makes available to employees an Employee Assistance Program (EAP) designed to assist in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee's personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status,*



*family, financial, substance abuse, emotional/stress, and other personal matters. The Employee Assistance Program shall include, at a minimum:*

- a. a written directive describing program services;*
- b. procedures for obtaining program services;*
- c. confidential, appropriate, and timely problem assessment services;*
- d. referrals to services, either workplace or community resources for appropriate diagnosis, treatment, and follow-up;*
- e. written procedures and guidelines for referral to and/or mandatory participation; and,*
- f. training of designated supervisory personnel in the program services, supervisor's role and responsibility, and identification of employee behaviors which would indicate the existence of employee concerns, problems and/or issues that could impact employee job performance.*

**Commentary:** An employee assistance program is intended to assist employees who are suffering from persistent problems that may tend to jeopardize the employee's psychological and/or physical well-being. The goal of this type of program is to help individuals who have developed problems by providing services for consultation, treatment and rehabilitation in order to prevent their condition from progressing to a degree that it will prevent the employee from functioning effectively in the workplace (see standard 22.2.3).

An employee's referral may either be voluntary, in which the employee elects to participate in the program, or it may be a supervisory referral, in which a supervisor uses agency guidelines to refer an employee into the program. An employee has the option to refuse referral into the program and should be given the right to discontinue participation at any time. Appropriate measures should be taken to ensure confidentiality of records for employees admitted to the program, according to established agency directives, personnel guidelines and state and federal regulations. (O O O O)

**22.2.7** *The agency has a written directive concerning personnel identification that includes provisions for:*

- a. responding to requests to view personnel identification; and*
- b. providing official agency identification with at least the personnel's photograph.*

**Commentary:** The intent of the standard is to ensure the public can identify law enforcement officers and be certain that the person they are dealing with is in fact an officer. This should enhance the officer's ability to perform their duties, promote confidence in the public and make officers more accountable for their actions. The written directive should include exceptions for officers working in an undercover capability.

All law enforcement employees and agency volunteers should have identification as this may permit non-sworn employees and volunteers to travel or perform agency duties in times of emergencies. Identification documents should have several features to make copying difficult and should include other information that would be helpful, including the right to carry firearms.

Uniformed officer identification may include unique numbers and/or the law enforcement officer's name.  
(M M M M)

## 22.3 Conditions of Work

**22.3.1** *A written directive describes the agency's policy regarding physical examinations for employees. Any examination required of employees in permanent, full-time jobs must be provided at no cost to the employee.*

**Commentary:** A physical examination is a benefit to both the employee and the agency. Any physical examination should be conducted only to confirm the employees' continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.

The nature of some specific positions or responsibilities may necessitate periodic specific health screenings, such as those for crime scene personnel, firearms instructors, or range technicians who are repeatedly exposed to hazardous chemicals or lead contaminants. (MMMM)

**22.3.2** *A written directive describes the agency's policy regarding general health and physical fitness for sworn employees.*

**Commentary:** The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations, and fitness requirements should be specified. Standards of fitness should be those that have been shown to be directly related to the tasks performed, and not serve to eliminate or penalize employees who can otherwise perform the tasks of their assignment, with or without reasonable accommodation. (MMMM)

**22.3.3** *A written directive governs the types of off-duty employment in which agency personnel may engage.*

**Commentary:** This standard applies to both sworn and non-sworn personnel. It pertains to secondary employment of the off-duty type—that is, outside employment wherein the use of law enforcement powers is not anticipated. Agencies may want to consider expressing the prohibition of certain types of off-duty employment in general terms, such as proscribing off-duty employment that, in the opinion of the agency, would constitute a conflict of interest or would tend to bring discredit to the agency. The prohibition could be quite specific, such as by focusing on specific jobs or locations. (OOOO)

**22.3.4** *If the agency permits sworn personnel to engage in extra-duty employment, a written directive addresses the following:*

- a. *the requirement that sworn personnel must receive agency permission to engage in extra duty employment;*
- b. *policies that address the behavior and activities of officers during extra-duty employment;*
- c. *approval, review, and revocation processes pertaining to officers' extra-duty employment;*

- d. designation of a point of coordination or administration within the agency to oversee adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency; and*
- e. documentation of the significant aspects of each officer's extra-duty employment.*

**Commentary:** This standard pertains to sworn personnel whose secondary employment is of the extra-duty type, that is, outside employment wherein the actual or potential use of law enforcement powers is anticipated.

Bullet (a) requires sworn officers to obtain permission of the agency to engage in extra-duty employment. In addition, the relationship between the extra-duty employer and the officer-employee may be governed by a written agreement between the agency and extra-duty employer. Among other provisions, an agreement might specify that payment by the extra-duty employer for the officer-employee's services shall be remitted to the agency, which will promptly compensate the extra-duty officer.

Regarding policies referred to in bullet (b), the agency might address the following matters, among others, if not already covered by the agreement: authority of officers while working in an extra-duty capacity; responsibilities of the officers to the agency and to extra-duty employers; matters of jurisdiction; callback, if required; limitations, if any, on the number of hours worked per given time period and on the number of hours worked immediately prior to reporting to the agency; use of agency property (weapons, uniforms, and the like); and liability, compensation, and indemnification issues arising from injuries or other incidents occurring during extra-duty employment.

Regarding the approval, review, and revocation processes noted in bullet (c), the agency's written directive should cover a description of those processes, types of extra-duty employment that are prohibited, and agreement by the extra-duty employer to restrictions, if any, on the types and conditions of employment, including an assessment of the potential risk of injury.

With respect to bullet (e), documentation should reflect the unique needs of the agency, the relevant sections of its collective bargaining agreement, if any, as well as pertinent statutory requirements, e.g., the federal Fair Labor Standards Act. Among the significant aspects of extra-duty employment to document, the agency should consider the following: date, time, and place of employment; incidents that involved use of law enforcement powers, injury to the officer or others, complaints received, and court appearances (scheduled and actually attended) resulting from extra-duty employment; and liability and indemnification concerns stemming from actions during extra-duty employment. **(MMMM)**

# 24

## COLLECTIVE BARGAINING

The standards in this chapter apply to those law enforcement agencies in which collective bargaining, by law, is an ongoing practice. There are many variations among agencies regarding the administration of the collective bargaining process. These range from procedures that are completely removed from the agency—carried out by officials of other governmental agencies or outside specialists—to a collective bargaining practice in which the agency’s personnel are responsible for the entire collective bargaining process.

These standards are directed to those law enforcement agencies whose personnel participate directly in collective bargaining. Agency personnel may participate in conjunction with other government officials or with the assistance of collective bargaining specialists. The standards are presented in a format that addresses the collective bargaining and contract management aspects of the process.

### 24.1 Collective Bargaining and Contract Management

**24.1.1** *If there are represented employees in the agency, a written directive describes the role of the agency in the collective bargaining process, and includes:*

- a. *establishment of a collective bargaining team for the agency with one person designated as the principal negotiator;*
- b. *identification of the bargaining unit or units representing an agency’s employees with which it will negotiate;*
- c. *a commitment by the agency to participate in “good faith” bargaining with the duly recognized bargaining units representing its members;*
- d. *a commitment to abide by the ground rules for collective bargaining that arise out of the collective bargaining process or labor arbitration; and*
- e. *a commitment to abide, in both letter and spirit, by the negotiated labor agreement that has been signed by management, labor representatives, and ratified by the bargaining unit.*

**Commentary:** The agency should abide by all legally applicable laws and rules governing the collective bargaining process. The relationship of agency personnel with other members of the bargaining team should be clearly defined. The directive should clearly establish the agency’s role when its members comprise the entire bargaining team as well as when they will be working with individuals from outside the agency. (M M M M)

**24.1.2** *When a negotiated labor agreement is ratified by all parties, the agency’s CEO, or designee, will:*

- a. obtain a written, signed copy of the labor agreement;*
- b. review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreement; and*
- c. disseminate information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit employees.*

**Commentary:** In order to avoid violating the labor contract, it is essential that all operating directives be amended to agree with language in the labor agreement. Copies of the signed agreement should be made available to those who supervise and manage employees in the bargaining unit and to further ensure that labor harmony is maintained. Changes in existing contract language should be disseminated to those same supervisors and managers. (M M M M)

## GRIEVANCE PROCEDURES

An important element of a sound personnel system is the existence of a formal method that allows employees to resolve their grievances with management fairly and expeditiously. Good management practices recognize that a carefully designed grievance process can help to improve morale by identifying problems and personnel dissatisfaction in the organization, and increase the positive perception employees have of the organization. Formal grievance procedures usually evolve from informal attempts to resolve differences between employee and employer. The establishment of a grievance procedure should be a management priority.

Standards in this chapter are intended to specify the criteria for determining whether the agency has viable grievance procedures and whether the elements of those procedures are in accordance with contemporary personnel administration practices.

### 25.1 Grievance Procedures

**25.1.1** *Unless there is controlling contract language, a written directive establishes a grievance procedure, which includes the following:*

- a. *identification of matters that are grievable (scope) and the levels in the agency or government to which the grievance may be filed and/or appealed;*
- b. *establishment of time limitations for filing or appealing the grievance to the next level;*
- c. *a description of the type of information to be submitted when filing a grievance;*
- d. *establishment of procedural steps and time limitations at each level in responding to grievances or appeals; and*
- e. *establishment of criteria for employee representation.*

**Commentary:** Since a formal grievance procedure is designed to resolve differences between the employee and employer, it follows logically that such procedures be written in clear, concise terms. If grievance procedures are part of a collective bargaining agreement, such agreement would meet the definition of “written directive” as used in this standard. This standard applies to all agency employees. If more than one procedure exists, each should be described.

A written statement of the grievance and the facts upon which it is based, a written allegation of the specific wrongful act and harm done, and a written statement of the remedy or adjustment sought are basic information that should be required from a grievant. A form may be designed for this purpose to include spaces for noting significant times, dates, and actions taken relative to a grievance.

Once the grievance has been filed, it should be handled formally. Each level should acknowledge receipt by noting time, date, and person receiving the grievance. The facts or allegations should be carefully analyzed and affirmed or denied in writing. A legitimate attempt should be made at each level to resolve the grievance rather than merely passing it on to the next level. If applicable, remedies or adjustments should be identified in writing.

The procedure should have an appeal process for grievable issues. To be an appeal, the issue should go to a higher level or authority for review. Grievances normally follow the employee's "chain of command" within the agency or governmental structure. The procedure should identify the levels of appeal, the time limits within which each level should respond, and the final level of authority. (M M M M)

**25.1.2** *A written directive identifies a position responsible for coordination of the grievance procedures and for the maintenance and control of grievance records.*

**Commentary:** The sensitivity of these records dictates additional precautions in controlling access to them. (M M M M)

**25.1.3** *The agency compiles a documented annual analysis of grievances.*

**Commentary:** The grievance procedure is a valuable method for management to discover agency problems. If through analysis the agency's chief executive officer observes a trend in filed grievances, steps may be taken to minimize the causes of such grievances in the future. The responsibility for analyzing grievances and reporting to the CEO should be assigned to the position required by standard 25.1.2. The formality of the analysis and reporting may be determined to best suit the agency's need. (M M M M)

# 26

## DISCIPLINARY PROCEDURES

The word discipline comes from the word disciple, which means “to train.” The elements of the disciplinary system should include training, rewarding, counseling, and punitive actions in the interest of discipline.

Effective discipline is a positive process when its perceived purpose is to train or develop by instruction. Among the programs having an impact on discipline in a law enforcement agency are selection, training, direction, supervision, and accountability. These elements are interdependent, and a weakness in any one is damaging to effective discipline.

### 26.1 Disciplinary Procedures

**26.1.1** *A written directive specifies a code of conduct and appearance guidelines, which are readily available to all agency personnel.*

**Commentary:** This directive should include compliance with agency directives; unbecoming conduct; use of alcohol and drugs; acceptance of gratuities, bribes, or rewards; abuse of authority; use of force; and proper care and maintenance of equipment. Prohibitions should be specific, whereas approved behavior may be stated in general terms, e.g., courtesy, punctuality. Directives about grooming and uniform appearance also should be specific. The code of conduct may be in the form of rules and regulations. (M M M M)

**26.1.2** *A written directive establishes procedures and criteria for recognizing employees for exceptional performance.*

**Commentary:** The written directive should enhance consistency in recognizing employees. Agencies that present awards for meritorious and heroic acts should ensure that criteria are established as prerequisites for these awards. (O O O O)

**26.1.3** *A written directive prohibits sexual and other forms of unlawful harassment in the work place and provides a means by which harassment can be reported, including a means by which it can be reported if the offending party is in the complainant's chain of command.*

**Commentary:** Unlawful harassing conduct of any agency personnel by anyone employed by or contracted by the agency has the effect of unreasonably interfering with an individual's work performance and/or creating an intimidating, hostile, or offensive work environment. Agencies need to have strong policies and directives that prohibit such conduct; immediate and thorough investigation of any allegation of unlawful harassment; effective and appropriate disciplinary action in any case where



allegations of harassment can be substantiated; and efforts to make agency employees aware of their responsibilities and the legal issues involved. (MMMM)

**26.1.4** *A written directive establishes a disciplinary system, to include:*

- a. *procedures and criteria for using training as a function of discipline;*
- b. *procedures and criteria for using counseling as a function of discipline; and*
- c. *procedures and criteria for taking punitive actions in the interest of discipline.*

**Commentary:** The elements of the disciplinary system should identify the measures to be applied to employee conduct in the interest of discipline. The system should be based on fairness to the employee and the agency, and should stimulate employee morale and motivation.

The written directive should encourage training as a means of improving employee productivity and effectiveness through positive and constructive methods (see standard 33.1.5).

The written directive should provide guidelines regarding alternatives to be considered in counseling. In theory and practice, the severity attached to disciplinary counseling increases with the position of the counselor in the hierarchical structure of the agency. The directive should also provide guidance concerning the recording of the purpose and effect of the counseling experience.

Finally, the directive should strive to enhance consistency in punitive actions. The severity of each alternative should be geared to the actions of the employee. This does not imply a required sequence of punitive acts. Some agencies specify a range of punishments for various violations or specific punishments in explicit situations; where these are established, employees should be so informed.

(M M M M)

**26.1.5** *A written directive specifies the role of supervisors and the authority attendant to each level of supervision and command relative to disciplinary actions.*

**Commentary:** The role of supervisors, especially first line supervisors, is crucial in the disciplinary process. First line supervisors have the best opportunity to observe the conduct and appearance of employees and detect those instances when disciplinary actions are warranted (remedial training, counseling, or punishment). First line supervisors also have the opportunity to understand the personality traits of the personnel under their supervision and to determine the most effective methods of discipline.

(M M M M)

**26.1.6** *A written directive specifies appeal procedures in disciplinary actions.*

**Commentary:** The directive should include initiation procedures, time frames, method of recording, and scope of the appeal process. To be an appeal, the issue should go to a higher level of authority for review. (M M M M)

**26.1.7** *If employee misconduct results in dismissal, a written directive requires that the following information be provided to the employee:*

- a. *a written statement citing the reason for dismissal;*
- b. *the effective date of the dismissal; and*
- c. *a statement of the status of fringe and retirement benefits after dismissal.*

**Commentary:** This standard, under normal circumstances, does not apply to entry-level probationary employees. (M M M M)

**26.1.8** *A written directive specifies procedures for maintenance of records of disciplinary actions.*

**Commentary:** The directive should require written records of disciplinary actions and should include where the records should be filed, how long they should be maintained, and under what circumstances they should be purged. (M M M M)

# 31

## RECRUITMENT

A task as important as the recruitment and selection of law enforcement personnel should be approached from a positive viewpoint. Agencies, through the authority of their respective governments and administrations, should identify and employ the best candidates available, not merely eliminate the least qualified. The benefits of effective recruitment and selection policies are manifested in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, and more efficient and effective services.

The recruitment standards of the law enforcement accreditation process have embraced several important philosophical concepts in this chapter. The first concept is the expectation that an accredited agency will be an equal opportunity employer. Equal opportunity is the removal of barriers that prevent people from being treated fairly for employment purposes.

The second concept is the expectation that the agency's sworn work force will be representative of the available workforce in the agency's service community relative to its ethnic and gender composition. If any group is underrepresented, the recruitment plan will include proactive steps to encourage members of that group to seek employment opportunities.

Under the accreditation program, the recruitment plan does not mandate hard quotas, such as hiring one female for every two males hired, nor is an agency expected to lower legitimate job-related hiring standards or criteria. Agencies are never expected to hire an individual who is not qualified to perform the duties of the job involved.

Agencies should be aware of several important assumptions that are built into the accreditation standards. Some standards are applicable only to those agencies with ongoing or active recruitment efforts. Agencies that only recruit to fill actual or forecast vacancies are relieved from continuous recruiting requirements but must comply with those standards that apply at the time of each recruiting campaign. However, two of the standards are operative for all agencies regardless of whether there are job vacancies: standard 31.2.1 establishing a recruitment plan if the proportion of minority group or women employees is lower than the proportion of these groups in the work force of the community, and standard 31.2.3 requiring an equal employment opportunity plan.

It is also understood that some agencies are required to handle their personnel through a state or local civil service merit system and are, therefore, linked to that system in the recruitment of law enforcement personnel. Obviously, every agency is obligated to comply with all applicable statutes and policy directives. However, the agency is required to show that the civil service agency upon which it depends is in compliance with applicable standards.

## 31.1 Administrative Practices and Procedures

### 31.1.1 *The agency actively conducts, or participates in its recruitment program.*

**Commentary:** When the authority for recruitment is shared with other agencies, the law enforcement agency should seek to involve itself directly or indirectly in all activities critical to the recruitment effort. (M M M M)

### 31.1.2 *Individuals assigned to recruitment activities are knowledgeable in personnel matters, especially equal employment opportunity.*

**Commentary:** Prior to initiating recruitment activities, recruiters should undergo a training program that provides knowledge and skills in the following areas: the agency's recruitment needs and commitments; agency career opportunities, salaries, benefits, and training; federal and state compliance guidelines; the community and its needs (including demographic data, community organizations, educational institutions, etc.); cultural awareness, or an understanding of different ethnic groups and subcultures; techniques of informal record-keeping systems for candidate tracking; the selection process utilized by the central personnel operation or agency (including procedures involved in conducting background investigations and written, oral, or physical agility examinations); recruitment programs of other jurisdictions; characteristics that disqualify candidates; and medical requirements. (M M M M)

## 31.2 Equal Employment Opportunity and Recruitment

### 31.2.1 *The agency has ethnic and gender composition in the sworn law enforcement ranks in approximate proportion to the makeup of the available work force in the law enforcement agency's service community, or a recruitment plan pursuant to standard 31.2.2.*

**Commentary:** Recruitment steps should be directed towards the goal of approximating within the sworn ranks the demographic workforce composition of the community that it serves.

Statistics on the composition of the work force in the agency's service community are available from a variety of sources, such as the U.S. Department of Labor's Bureau of Labor Statistics or national labor statistics. For the purposes of this standard, available workforce may be determined by considering several factors; for example, the residential makeup, those working in the agency's community, applicant demographics, and the parameters of any officer residency requirements, if applicable. (M M M M)

### 31.2.2 *The agency has a recruitment plan for full-time sworn personnel, that includes the following elements:*

- a. *statement of objectives;*
- b. *plan of action designed to achieve the objectives identified in bullet (a);*
- c. *procedures to evaluate the progress toward objectives every three years; and*
- d. *revise/reissue the plan as needed.*

**Commentary:** The recruitment plan should be written so that it can be easily understood and followed. The foundation of a successful recruitment drive should include strong management commitments, an

analysis of demographic/geographic features of the agency's service area, and specific knowledge of past recruitment efforts by similar agencies. The recruitment plan may be a part of the written directive system or a separate and distinct planning document. The plan should govern agency activities relating to recruitment during a specific period of time, which should not exceed three years without being reviewed and having objectives updated.

The objectives of a recruitment plan should be reasonable, obtainable, and directed toward the goal of achieving a sworn work force that is representative of the composition of the available work force it serves. The specific action steps contained in the agency's recruitment plan should be reasonably likely to cause the agency to meet the objectives identified in the plan.

Examples of specific action steps that may be identified in an agency's recruitment plan include:

- utilizing in the agency's recruitment activities minority personnel who are fluent in the community's non-English languages and are aware of the cultural environment, where this would be applicable;
- depicting women and minorities in law enforcement employment roles in the agency's recruitment literature;
- conducting recruitment activities outside of the agency's jurisdiction, when necessary, to attract viable law enforcement candidates. Restricting recruiting to the agency's service area may limit the potential number of qualified applicants available from underrepresented groups; and
- conducting periodically a "career" or "information" night for a particular target group.

(M M M M)

### **31.2.3** *The agency has an equal employment opportunity plan.*

**Commentary:** The equal employment opportunity (EEO) plan should ensure equal opportunities for employment and employment conditions for minority persons and women. The equal employment opportunity plan should be based on an annual analysis of the agency's present employment policies, practices, and procedures relevant to their effective impact on the employment and utilization of minorities and women. The equal employment opportunity plan, which may be produced in the form of a written directive, may contain such provisions as: (1) a strongly worded statement from the agency's CEO that it is agency policy to ensure that all individuals be given equal opportunity for employment, regardless of race, sex, creed, color, age, religion, national origin, or physical impairment; (2) a procedure for filing complaints relating to EEO; and (3) specific action steps that the agency should take to ensure equal employment opportunity is a reality, such as advertising as an "equal opportunity employer" or providing applications or testing processes at decentralized, easily accessible locations. The policies relating to harassment in the workplace may also be incorporated into the agency's overall EEO effort (see standard 26.1.3). (M M M M)

## **31.3 Job Announcements and Publicity**

### **31.3.1** *The agency's job announcements and recruitment notices for all personnel:*

- a. *provide a description of the duties, responsibilities, requisite skills, educational level, and other minimum qualifications or requirements;*

- b. *advertise entry-level job vacancies through electronic, print, or other media;*
- c. *advertise the agency as an equal opportunity employer on all employment applications and recruitment advertisements; and*
- d. *advertise official application filing deadlines.*

**Commentary:** The agency should provide the most accurate and precise job description possible to avoid undue delay and wasted time on the part of the agency and the applicant. When the most important performance dimensions are known, potential applicants are in a better position to relate their particular knowledge, understanding, and skills to those required by the position to be filled. The agency saves the time and expense of making determinations that the applicants could have made, had they been fully apprised.

The agency should ensure that job announcements do not set standards or criteria that even unintentionally screen out, or tend to screen out, an individual with a disability or class of individuals with disabilities, unless the criteria are job-related and consistent with business necessity. Job announcements should not set standards that cannot be specifically supported and should avoid general requirements such as “excellent health” or “no history of psychological or emotional disorders.” (Refer to Section 102, Americans with Disabilities Act.) (M M M M)

**31.3.2** *The agency posts all job announcements with community service organizations and/or seeks cooperative assistance from community organization key leaders.*

**Commentary:** The agency should seek permission to post job announcements with community organizations that are in contact with individuals who are likely candidates for recruitment. The agency should seek to achieve broader dissemination and greater exposure of recruitment information. The agency should consider technological resources, such as the Internet, when posting all job announcements. (O M M M)

**31.3.3** *Contact is maintained with applicants for all positions from initial application to final employment disposition.*

**Commentary:** Applicants should be periodically informed of the status of their applications. Applicant contacts should be documented and logged. The agency should consider technological resources for maintaining contact with applicants. (M M M M)

**31.3.4** *Applications for all positions are not rejected because of minor omissions or deficiencies that can be corrected prior to the testing or interview process.*

**Commentary:** Applications that are deficient should be processed routinely if the deficiency can be rectified prior to the testing or interview process. (M M M M)

## SELECTION

The selection process is defined as the combined effect of components and procedures leading to the final employment decision. It is a key component in defining the operational effectiveness of a law enforcement agency. All jurisdictions necessarily differ in a variety of unique and important ways regarding personnel selection. Nevertheless, basic principles exist for the development of an efficient, effective, and fair selection process that results in the appointment of those individuals who best possess the skills, knowledge, and abilities (SKA) necessary for an effective, respected law enforcement agency.

A job-related, useful, and nondiscriminatory selection process is dependent upon a number of professionally and legally accepted administrative practices and procedures, which include informing candidates of all parts of the selection process at the time of formal application; maintaining written procedures governing lateral entry and reapplication of unsuccessful candidates; and ensuring timely notification of candidates about their status at all critical points in the process. These procedures and practices significantly contribute to a more efficient, effective, and fair selection process.

It is understood that some agencies are required to handle their personnel through a state or local civil service merit system and are, therefore, linked to that system in the selection of their law enforcement personnel. Every agency is obligated to comply with all applicable statutes and policy directives. This may result in the agency being unable to unilaterally comply with certain standards, but Guiding Principle 1.2 requires the agency to seek compliance from outside sources. The agency is required to show that the civil service agency upon which it depends is in compliance with applicable standards.

### 32.1 Professional and Legal Requirements

**32.1.1** *Written directives describe all elements and activities of the selection process for all full-time personnel.*

**Commentary:** Such written directives are essential for the proper administration, use, and defensibility of the selection process. The directive should describe the order of events in the selection process and should include, at the least, information about the purpose, development, job relatedness, administration, scoring, and interpretation of all elements used in the selection process. The law enforcement agency may rely upon a state or local civil service commission, employment agency, or other public or private organization to administer or provide one or more elements of the selection process. If so, a copy of all relevant manuals should be maintained on file by the law enforcement agency. Written directives should

describe the selection process in detail and include timetables, the order of events, administration, scoring, interpretation of test results, and other pertinent information. (M M M M)

**32.1.2** *All elements of the selection process for sworn personnel use only those rating criteria or minimum qualifications that are job related.*

**Commentary:** The intent of this standard is to ensure that candidates are evaluated by a selection process that measures traits or characteristics that are a significant part of the job. It is not sufficient for an agency to merely say in a directive that its procedures are job related.

There are a variety of means by which job-relatedness can be shown. An agency may choose, for example, to demonstrate that an oral examination measures traits that are shown by the task analysis to be significant or necessary to perform the job. An assessment center may be shown to measure the performance of tasks or skills that the task description has shown to be essential job functions (see Chapter 21 regarding task analysis and job descriptions).

The agency may also demonstrate job-relatedness through a process which validates the selection mechanism as a predictor of future job success. A written test may be statistically validated as being able to assess skills necessary for the job of sworn officer. Many commercially produced tests have documentation that will support validation. Agencies are encouraged to seek assistance in this area from competent personnel resources as many of the validation concepts are technical and/or unfamiliar to police professionals.

Nothing in this standard should be interpreted as preventing an agency from using a combination of methods to document the job-relatedness of its selection process. The goal of this standard is to ensure that the agency has the documentation necessary to make a logical and persuasive case, in the event of a legal challenge, that the elements of the selection process measure skills, knowledge, abilities, and traits needed to perform that job. (M M M M)

**32.1.3** *A written directive requires that all elements of the selection process for all personnel be administered, scored, evaluated, and interpreted in a uniform manner within the classification.*

**Commentary:** Operational elements of the selection process—time limits, oral instructions, practice problems, answer sheets, and scoring formulas—should be clearly set forth and carried out identically for all candidates. Failure to do so may preclude validation of the process and make the agency susceptible to legal challenges. (M M M M)

**32.1.4** *At the time of their formal application, candidates for all positions are informed, in writing, of:*

- a. *all elements of the selection process;*
- b. *the expected duration of the selection process; and*
- c. *the agency's policy on reapplication.*

**Commentary:** A listing of selection elements should include, but is not limited to, all written physical and psychological examinations, polygraph examinations, oral interviews, and background investiga-



tions. From the outset, candidates should be made aware that sensitive or confidential aspects of their personal lives may be explored. Written notification of the expected duration of the selection process not only is a courtesy but also helps the agency better plan and coordinate its selection process. (M M M M)

**32.1.5** *All candidates not selected for positions are informed in writing.*

**Commentary:** Prompt notification in writing is not only an essential element of an efficient administrative organization but also is fundamental to a fair and effective selection process. Candidates should be informed within 30 days of such a decision. (M M M M)

**32.1.6** *A written directive governs the disposition of the records of all candidates not selected for appointment.*

**Commentary:** It is necessary to maintain selection data to ensure continuing research, independent evaluation, and defense against lawsuits. The agency should determine requirements, consistent with applicable laws, for maintaining identifying information, such as names and addresses. The agency should comply with all federal, state, and local requirements regarding the privacy, security, and freedom of information of all candidate records and data. (M M M M)

**32.1.7** *A written directive requires that selection materials be stored in a secure area when not being used and are disposed of in a manner that prevents disclosure of the information within.*

**Commentary:** The agency responsible for selection materials should limit access to them and store them in locked files to provide 24-hour security. Selection materials should not be left unattended. (M M M M)

## **32.2 Administrative Practices and Procedures**

**32.2.1** *A background investigation of each candidate for all positions is conducted prior to appointment to probationary status, and includes:*

- a. *verification of qualifying credentials;*
- b. *a review of any criminal record; and*
- c. *verification of at least three personal references.*

**Commentary:** It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier. (M M M M)

**32.2.2** *Personnel used to conduct background investigations are trained in collecting required information.*

**Commentary:** None. (M M M M)

**32.2.3** *In the absence of controlling legislation, the agency has a policy regarding the retention of each candidate's background information.*

**Commentary:** None. (M M M M)

**32.2.4** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, candidates are provided with a list of areas from which polygraph questions will be drawn, prior to such examination.*

**Commentary:** Agencies are not required to administer polygraph examinations or other truth verification tests to all job classifications. For example, polygraph examinations may be required for sworn personnel but need not be required for non-sworn personnel. (M M M M)

**32.2.5** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, the administration of examinations and the evaluation of results are conducted by personnel trained in these procedures.*

**Commentary:** The sensitive nature of these tests makes it necessary to rely upon examiners who possess professional training and credentials in the use and interpretation of these investigative tools. (M M M M)

**32.2.6** *A written directive prohibits the use of results of polygraph examinations or other instruments for the detection of deception as the single determinant of employment status.*

**Commentary:** Authorities agree that polygraph examinations or other instruments for the detection of deception should be used only as an investigative aid, if at all. An admission during pre-test, test, or post-test interviews, together with other information, may be sufficient to support decisions relevant to employment status. (M M M M)

**32.2.7** *A medical examination is conducted, prior to appointment to probationary status, to certify the general health of each candidate for a sworn position.*

**Commentary:** None. (M M M M)

**32.2.8** *An emotional stability and psychological fitness examination of each candidate for a sworn position is conducted and assessed by a qualified professional prior to appointment to probationary status.*

**Commentary:** None. (M M M M)

**32.2.9** *In the absence of controlling legislation, the agency has a policy regarding the retention of the results of medical examinations, emotional stability and psychological fitness examinations.*

**Commentary:** The agency should maintain a report of each physical examination and emotional stability and psychological fitness examination to ensure proper procedures are followed and to provide data for continuing research and legal defense, if needed. All records should be stored in a secure area.

Access should be restricted to those persons legally entitled to review these records. The files or records may be maintained in agency files or at the location of the medical examination provider.  
(M M M M)

**32.2.10** *In the absence of controlling legislation, at least a six-month probationary period for sworn personnel following completion of entry-level classroom training is required before candidates are granted permanent status.*

**Commentary:** The agency should include a probationary period among the final steps in the selection process. A six-month probationary period is generally accepted as a minimum among the law enforcement community and should be carefully related to the field training program (see standard 33.4.3). Exceptions to the probation period if any, should be described in the directive. Exceptions may include special assignments, injury, or illness occurring during entry-level training and remedial training.  
(M M M M)

## TRAINING AND CAREER DEVELOPMENT

Standards in this chapter relate to the training and career development of law enforcement personnel. Subchapters address the organization and administration of the training function; training academy administration; training instructors; recruit training; in-service, shift briefing, and advanced training; specialized training; civilian personnel training; and career development.

Training has often been cited as one of the most important responsibilities in any law enforcement agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, training fosters cooperation and unity of purpose. Moreover, agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training.

Training programs should ensure that the needs of the agency are addressed and that there is accountability for all training provided. In particular, training should be consistent with the agency's mission and values as well as goals and objectives. Agency training functions should be the responsibility of the training component, which should be accountable for developing and administering training programs. Program development should provide for input from several sources, including agency personnel in general, a training committee, the inspections function, and, most importantly, the agency's chief executive officer.

Career development is a structured process that is utilized by an agency to provide opportunities for individual growth and development at all levels. It is designed to promote productive, efficient, and effective job performance and to improve the overall level of individual job satisfaction.

So that agencies can deal effectively with law enforcement problems in an increasingly complex and sophisticated society, there should be parallel increases in the level of education and training required for law enforcement officers. Higher education, by itself, is not an absolute answer in achieving improvement in law enforcement agencies. However, officers who have received a broad general education have a better opportunity to gain a more thorough understanding of society, to communicate more effectively with citizens, and to engage in the exploration of new ideas and concepts.

## 33.1 Administration

**33.1.1** *A written directive establishes a training committee in the agency and includes provisions for the following:*

- a. composition of the committee;*
- b. the process for selecting and replacing committee members;*
- c. the relationship of the training function to the committee;*
- d. authority and responsibilities of the committee; and*
- e. designation of the person or position to whom the committee reports.*

**Commentary:** The training committee should assist in developing and evaluating training needs and serve as a focal point for input from those representing agency components. The role of the committee should be clearly established to promote effective committee operation and to prevent misunderstandings. (N/A O O O)

**33.1.2** *A written directive governs attendance requirements for employees assigned to authorized agency training programs.*

**Commentary:** The directive should describe exceptions and provide procedures for documenting attendance, excusing participants for such events as court appearances, making up time that is missed as the result of excused and unexcused absences, and ensuring that employees are recognized for successful completion of the training program. (M M M M)

**33.1.3** *A written directive governs agency reimbursements to employees attending training programs in or outside the agency's service area.*

**Commentary:** The directive should describe the conditions under which reimbursement may be provided for mileage, meals, housing, fees, books, or materials for training programs conducted in or outside the agency's service area (see standard 22.2.2). (O O O O)

**33.1.4** *The agency requires lesson plans for all training courses conducted by the agency, to include:*

- a. a statement of performance and job-related objectives;*
- b. the content of the training and specification of the appropriate instructional techniques;*
- c. a process for approval of lesson plans; and*
- d. identification of any tests used in the training process.*

**Commentary:** The development of lesson plans should ensure that the subject to be covered in training is addressed completely and accurately and is properly sequenced with other training materials. Lesson plans establish the purpose of the instruction, set forth the performance objectives, relate the training to critical job tasks, and identify ethical considerations related to the topic. Consideration should be given to the relevance of training courses to the organization's mission and values. Lesson plans should be required of nonresident instructors as well as resident academy staff.

The lesson plans should also include references, teaching techniques (lecture, group discussion, panel, seminars, debate), relationships to job tasks, responsibilities of the participants for the material taught, and plans for evaluation of the participants. The instructional techniques that should be incorporated are conferences (debate, discussion groups, panels, and seminars); field experiences (field trips, interviews, operational experiences, and operational observations); presentations (lecture, lecture discussion, and lecture demonstration); problem investigations (committee inquiry); and simulations (case study, games, and role-play). (M M M M)

**33.1.5** *A written directive establishes agency policy concerning remedial training.*

**Commentary:** The directive should include the circumstances and criteria used to determine the need for remedial instruction, the timetables under which remedial training is provided, and the consequences of participation or nonparticipation by the affected personnel. The directive should recognize the uses of remedial instruction in other than recruit training and should comment on the relationship between the inspections and training functions (see standard 26.1.4). (M M M M)

**33.1.6** *A written directive requires the agency to update records of employees following their participation in training programs.*

**Commentary:** As personnel complete training programs, the date of the training, the types of training received, any certificates received, attendance, and test scores should be recorded for each trainee. (M M M M)

**33.1.7** *The agency maintains records of each training class it conducts to include, at a minimum:*

- a. course content (lesson plans);*
- b. names of agency attendees; and*
- c. performance of individual attendees as measured by tests, if administered.*

**Commentary:** The intent of the standard is to ensure that the agency documents the nature of the instruction, the identity of those attending the sessions, and the performance of the attendees. The standard would be satisfied in part by maintaining on file the lesson plans used by the course instructors. (M M M M)

## **33.2 Academy**

**33.2.1** *If the agency operates a training academy, a written directive requires provisions for the administration and operation of the academy, to include:*

- a. a statement of the academy's goals and responsibilities;*
- b. organization and staffing;*
- c. administrative procedures;*
- d. operating procedures; and*
- e. an orientation handbook issued to all new recruit personnel at the time academy training begins.*

**Commentary:** The agency may wish to develop a manual that addresses the operational and administrative requirements of the academy. The directive, or manual, should also identify the physical plant and other facilities, such as a firing range or driver-training track, that are the responsibility of the academy.

In the new environments of both the law enforcement profession and a law enforcement training academy, new personnel should be provided with information concerning the organization of the academy; the academy's rules and regulations; the academy's rating, testing, and evaluation system; physical fitness and proficiency skill requirements; and daily training schedules. (M M M M)

**33.2.2** *If the agency operates an academy facility, the facility includes, at a minimum:*

- a. *classroom space consistent with the curriculum being taught;*
- b. *office space for instructors, administrators, and secretaries;*
- c. *physical training capability; and*
- d. *a library.*

**Commentary:** The agency should have access to training facilities but need not necessarily own the facilities. The size and type of the facilities should be consistent with the academy curriculum. The academy should also have access to a firing range and a paved driver-training track with a minimum of a circular driving surface of one-quarter mile, a skidpan, and a straightaway. The driver training track and the firing range may be located away from the academy's main facility. (M M M M)

**33.2.3** *If agency personnel are trained in an outside academy, a written directive describes the relationship between the agency and the outside academy.*

**Commentary:** An agency may choose to avail itself of recruit, in-service, or specialized training in an academy not operated by the agency, e.g., regional academy, state operated academy. Regardless of the reasons for participation, the written directive should provide the basis for the agency's participation in the academy to ensure that training needs are being met. To safeguard the interests of both the agency and the academy while agency personnel are attending academy training, the directive should also specify any legal liabilities of the agency and/or academy. The directive should also describe: the legal basis for participation in the academy; the relationship of the agency training function and the agency to the academy; the process for providing agency input to the academy program; the circumstances under which the agency provides staff, facilities, instructors, and other resources to the academy; financial obligations of the agency to the academy; and the method for determination of the legal liability of the participating agencies. (M M M M)

**33.2.4** *If agency personnel are trained in an outside academy, a written directive governs the training to be received by agency personnel regarding agency policies, procedures, rules, and regulations.*

**Commentary:** In addition to the training and skills taught at an outside academy, the agency should provide instructions in policies and procedures that are specific to the agency. The written directive may provide for such training at the outside facility or after the personnel return to the agency following completion of training. (M M M M)

### 33.3 Training Instructors

**33.3.1** *Personnel assigned to the training function in a full-time capacity as instructors receive training which includes, at a minimum:*

- a. *lesson plan development;*
- b. *performance objective development;*
- c. *instructional techniques;*
- d. *testing and evaluation techniques; and*
- e. *resource availability and use.*

**Commentary:** The agency should require that all full-time instructors be given training prior to assuming their teaching responsibilities. This training should be periodically updated and geared to meet any specific instructional problems of the agency. If the agency desires instructors to meet state instructor certification requirements, consideration should be given to meeting those requirements. (M M M M)

### 33.4 Recruit Training

**33.4.1** *The agency requires all sworn officers to complete a recruit training program prior to assignment in any capacity in which the officer is allowed to carry a weapon or is in a position to make an arrest, except as part of a formal field training program required in standard 33.4.3.*

**Commentary:** The intent of this standard is to preclude assigning persons to positions requiring the carrying of weapon, enforcing the law, or making arrests until they successfully complete a structured basic training course. Those persons who have been hired, but who have not yet completed the basic training course, could be used in such positions as communications, records, or other activities not requiring the carrying of a weapon, enforcing the law, or making an arrest. An exception is allowed for those trainees participating in the formal field training program required in standard 33.4.3.

(M M M M)

**33.4.2** *A written directive requires the agency's recruit training program, to include:*

- a. *a curriculum based on tasks of the most frequent assignment associated duties of officers who complete recruit training; and*
- b. *use of evaluation techniques designed to measure competency in the required skills, knowledge, and abilities.*

**Commentary:** None. (M M M M)

**33.4.3** *A written directive establishes a field training program for all newly sworn officers with a curriculum based on tasks of the most frequent assignments with provisions for the following:*

- a. *field training of at least four weeks for trainees, during and/or after the required classroom training;*
- b. *a selection process for field training officers;*
- c. *supervision of field training officers;*



- d. *liaison with the academy staff, if applicable;*
- e. *training and in-service training of field training officers;*
- f. *rotation of recruit field assignments;*
- g. *guidelines for the evaluation of recruits by field training officers; and*
- h. *reporting responsibilities of field training officers.*

**Commentary:** The goal of field training is to provide recruit trainees with “on street” experiences following the completion of classroom training as required in standard 33.4.1. A minimum four-week period permits time for rotation of recruits among the various training activities and objectives with which they may be familiar. In some cases, field training may be presented at intervals as part of a logically coherent classroom training program. Here, training is managed by providing classroom training followed by a short segment in the field to provide the trainee with “on street” experience in those curricular areas just covered in the classroom.

Whether presented during and/or after the classroom training, field training should be a closely supervised process, as the initial experience of recruits often shapes their future careers.

The field training program is an important adjunct of the formal recruit classroom training and should be as carefully organized, administered, and evaluated as classroom training. The field training program should be closely allied with the academy so that field training officers (FTOs) are aware of what skills and subjects have been taught and what roles the FTOs are to assume.

The selection process for FTOs is crucial to a successful program as many of the values, tactics, and attitudes of FTOs are transmitted to inexperienced officers. Initial training, as well as periodic in-service training, should be provided to FTOs to prepare them for and keep them current with their assigned responsibilities.

The relevance of the field training experience may be enhanced by providing guidelines to FTOs that define the responsibilities of the FTO and provide specific direction about the skills, knowledge, and abilities to be assessed, taught, or performed. The evaluative responsibilities of the FTOs should also be identified. (M M M M)

### **33.5 In-Service, Shift Briefing, and Advanced Training**

**33.5.1** *A written directive requires all sworn personnel to complete an annual retraining program, including legal updates.*

**Commentary:** The agency should ensure that personnel are kept up to date with new laws, technological improvements, and revisions in agency policy, procedures, rules, and regulations. The mandatory retraining may also be designed to provide supervisory, management, or specialized training to participants. Retraining may be used to supplement promotional training, training prior to assignment to a specialized component, or executive development training for higher-ranking officers. The agency should ensure that information included in retraining is included on promotional examinations.

The program should be structured to motivate experienced officers and to further the professionalism of the agency. The training should include a review of the following topics: agency policy, procedures, and

rules and regulations, with emphasis on changes; leadership; ethics and integrity, taking into consideration cultural influences, policy compliance, and doing what is correct rather than what is not illegal (see standard 26.1.1); statutory or case law affecting law enforcement operations, with emphasis on changes; the functions of agencies in the local criminal justice system; exercise of discretion in the decision to invoke the criminal justice process; interrogation and interviewing techniques; agency policy on the use of force, including the use of deadly force; emergency medical services; the performance evaluation system; emergency fire suppression techniques; new or innovative investigative or technological techniques or methods, if any; hazardous materials incidents; contingency plans, if any, including those relating to special operations and critical incidents; crime prevention policies and procedures; collection and preservation of evidence; report writing and records system procedures and requirements; and victim/witness rights, policies, and procedures. (M M M M)

### *33.5.2 A written directive governs shift briefing training.*

**Commentary:** Shift briefing training is a technique that may supplement all other training. Shift briefing training may be a useful element of agency training, if it is well managed and supervised. The goal of this training should be to keep officers up to date between formal retraining sessions. Agencies which do not have formal shift briefings, e.g., resident state troopers, deputy sheriffs, may accomplish the purpose of shift briefing training through other methods, to include in-car computers and other electronic means. To be useful to the agency, the shift briefing training program should be well structured and reflect the needs of the agency while being flexible enough to fit into a shift briefing setting. The written directive should include: planning for shift briefing training; techniques used in shift briefing training; relationships with the academy; instructional methods; instructional personnel; evaluation of shift briefing training; scheduling of training; and role of supervisors and officers (see standard 41.1.2). (O O O O)

### *33.5.3 Agency personnel shall receive information regarding the accreditation process as follows:*

- a. to all newly hired agency personnel within thirty days after their employment begins or within thirty days after completing the recruit academy;*
- b. to all agency personnel during the self-assessment phase associated with achieving initial accreditation; and*
- c. to all agency personnel prior to an on-site assessment.*

**Commentary:** The intent of this standard is twofold. First, it ensures that all employees are familiar with accreditation and what it entails during the self-assessment process. Second, familiarizing new employees with the process will provide a historical perspective and emphasize the importance of accreditation to the organization. It is recommended that familiarization include the history and background of accreditation and the agency's involvement in the process, the accreditation process, the goals and objectives of accreditation, and the advantages of accreditation and its impact on the agency. Familiarization may be achieved by such means as classroom instruction, newsletter, memo, and periodic attendance by command staff at conferences of the Commission on Accreditation for Law Enforcement Agencies, Inc. (M M M M)

**33.5.4** *A written directive requires agency employees assigned to the position of accreditation manager shall receive specialized accreditation manager training within one year of being appointed.*

**Commentary:** The role of accreditation manager is very specialized and requires familiarization with the accreditation process. At a minimum, the training should include information on the essential components of the process, the standards manual, and file maintenance. The individual selected as accreditation manager should attend at least one CALEA Conference during the self-assessment period or current award period. Agencies are urged to join and participate in Police Accreditation Coalition (PAC's) within their state or province. (O O O O)

### **33.6 Specialized In-Service Training**

**33.6.1** *A written directive identifies the assignments for which specialized training is required, and includes the following:*

- a. *a description of the required training; and*
- b. *retraining requirements, if any.*

**Commentary:** The agency should identify all of the functions for which both pre- and post-assignment specialized training is required. Specialized training includes supervised on-the-job training provided by the agency, training mandated by governmental authority such as training for certification as a breathalyzer operator, and training deemed necessary by the agency for the development and enhancement of the skills, knowledge, and abilities particular to the specialization, such as motorcycle units or marine patrol.

Persons responsible for crime scene processing should receive specialized criminalistics training commensurate with their duties and responsibilities. For example, DNA evidence should be collected only by persons appropriately trained.

The supervision and management of specialized functions includes responsibility for ensuring that persons assigned to the function receive adequate training and support services. (M M M M)

**33.6.2** *If the agency participates in a tactical team, the agency requires that all personnel assigned to the team engage in training and readiness exercises.*

**Commentary:** The purpose of this standard is to ensure that tactical team members have ample opportunity to practice their special skills and develop their abilities to function effectively as a team. This is necessary because many skills are perishable and should be exercised to build and maintain proficiency. Operational simulations should be included in the training program, and if the agency also has a separate hostage negotiation team, its personnel should be required to train periodically with the tactical team. All tactical training must be documented and the records retained pursuant to standard 33.1.6. (M M M M)

### 33.7 Civilian Training

**33.7.1** *A written directive requires all newly appointed civilian personnel to receive information regarding:*

- a. *the agency's role, purpose, goals, policies, and procedures;*
- b. *working conditions and regulations; and*
- c. *responsibilities and rights of employees.*

**Commentary:** None. (M M M M)

**33.7.2** *A written directive identifies the civilian positions for which pre-service and in-service training is required.*

**Commentary:** The agency personnel should receive initial and on-going training commensurate with their responsibilities. Such training should stress not only the skills necessary to perform technical aspects of their jobs but also the importance of the link they provide between citizen and agency, which often shapes a citizen's opinion of the agency. (M M M M)

### 33.8 Career Development

**33.8.1** *A written directive establishes training requirements for all personnel conducting career development activities.*

**Commentary:** Personnel, such as supervisors and counselors, who are assigned to conduct career development activities should undergo a period of orientation that should provide increased knowledge and skills in at least the following areas: general counseling techniques; techniques for assessing skills, knowledge, and abilities; salary, benefits, and training opportunities of the agency; educational opportunities and incentive programs; awareness of the cultural background of ethnic groups in the program; record-keeping techniques; career development programs of other jurisdictions; and availability of outside resources. (O O O O)

**33.8.2** *The agency provides job related training to all newly promoted personnel.*

**Commentary:** Such training should be commensurate with their new duties and should take place either prior to promotion or within the first year following promotion. (M M M M)

**33.8.3** *A written directive describes the agency's career development program.*

**Commentary:** The agency should assist employees in planning their career paths through the utilization of formal schooling opportunities and law enforcement related training courses to improve their skills, knowledge, and abilities. (O O O O)

## PROMOTION

Promotion denotes vertical movement in the organizational hierarchy from one rank classification or position to another, usually accompanied by increases in duties and responsibilities as well as salary. These standards are designed to improve the validity of the process and make the system less susceptible to court challenge.

The evaluation and selection of personnel for promotion begin with the identification of employees who appear to have the potential for assuming greater responsibility and who possess the skills, knowledge, and abilities required to perform at that level.

### 34.1 Professional and Legal Requirements

**34.1.1** *A written directive defines the agency's role in the promotion process for sworn personnel.*

**Commentary:** The law enforcement agency may rely upon a state or local civil service commission or other public or private external organization to administer or provide one or more elements of the process in accordance with legal, professional, and administrative requirements. Where a centralized personnel agency exists, the directive should govern the responsibilities retained by the law enforcement agency's chief executive officer for the promotion of personnel. The agency should have a role in the development of the measurement instruments that are used in determining the skills, knowledge, and abilities of employees for positions. (M M M M)

**34.1.2** *A written directive vests in an identifiable position the authority and responsibility for administering the agency's role in the promotion process for sworn personnel.*

**Commentary:** Although the written directive should identify a position responsible for the administration of the promotion process, a specific person may be designated. The person identified as the administrator of the process should have the authority to manage effectively its operation and direction. If responsibility is shared with or vested in another agency, e.g., a centralized personnel department or a civil service commission, the law enforcement agency should perform appropriate liaison activities to carry out the process. Even when authority is shared, the law enforcement agency should maintain the primary responsibility for certain key activities, such as oral interviews, promotions, and administration of all employees' probationary periods. (M M M M)

**34.1.3** *A written directive describes the procedures used for each element of the promotion process for sworn personnel, including those for:*

- a. *evaluating the promotional potential of candidates;*

- b. *administering written tests, if any;*
- c. *using assessment centers, if any;*
- d. *conducting oral interviews prior to appointment to probationary status;*
- e. *providing procedures for review and appeal of results for each promotional element by candidates;*
- f. *establishing procedures for reapplication, if any;*
- g. *determining promotional eligibility for vacancies where lateral entry is permitted, if any; and*
- h. *security of promotional materials.*

**Commentary:** The directive should describe all elements and procedures used in each promotional process and may be incorporated within a comprehensive personnel management or general policy and procedures manual.

Promotion potential ratings may replace or supplement on-the-job performance evaluations and may be used to determine an employee's initial eligibility for promotion or for ranking candidates on a list. Written examinations (including answer keys, cut-off scores, passing points, and/or numerical rankings) may be administered for each classification, position, or rank. Promotional criteria for lateral entry may include both eligibility qualifications and formal procedures for carrying out the process. Oral interviews should include uniform questions and rating scales and assess a defined set of personal attributes; the interview results should be recorded on a standardized form.

The right of candidates to review and challenge all aspects of the promotion process is an integral part of the process itself. Candidates should be allowed to review and appeal all scores and evaluations related to their performance in the process to ensure fairness and impartiality. The administrative review and appeal process may be conducted by individuals from within and outside the agency. An impartial review and appeal process should reduce or eliminate litigations. (M M M M)

**34.1.4** *All elements used to evaluate candidates for sworn personnel for promotion are job-related and nondiscriminatory.*

**Commentary:** The intent of this standard is to ensure that candidates are evaluated by a promotion process that measures traits or characteristics that are a significant part of the job. It is not sufficient for an agency to merely say in a directive that its procedures are job related. However, there are a variety of means by which job-relatedness can be shown.

An agency may choose, for example, to demonstrate that an oral examination measures traits that are shown by the job analysis to be significant or necessary to perform the job. An assessment center may be shown to measure the performance of tasks or skills that the job description has shown to be essential job functions (see Chapter 21 regarding job analysis and job descriptions).

The agency may also demonstrate job-relatedness by validation of a testing element. For example, an agency may demonstrate statistically that a written test is a predictor of future job success by correlating test scores with the performance of individuals on the job. If high test scores can be associated with individuals that are successful, and vice versa, then the process may be legally considered a valid means of measurement if the correlation is statistically significant. Agencies will normally need competent professional assistance from personnel specialists before undertaking a validation study of this type.

Many commercially available tests have done validation studies that may be helpful to an agency.

Nothing in this standard should be interpreted as preventing an agency from using a combination of methods to document the job-relatedness of its promotion process. The goal of this standard is to ensure that the agency has the documentation necessary to make a logical and persuasive case in the event of a legal challenge and that the elements of the promotion process measure skills, knowledge, abilities, and traits needed to perform that job. (M M M M)

**34.1.5** *The agency provides sworn personnel with a written announcement of the promotional process.*

**Commentary:** Announcements should be posted prominently and in a timely fashion and be augmented by periodic verbal reminders at staff meetings, conferences, and shift briefing sessions. A concise description of the vacancy should be provided, including the salary and the duties, responsibilities, skills, knowledge, and abilities required. Eligibility should be established during a formal qualifying period that continues until the closing date of the announcement, until the closing date for submitting a completed application, or until the date of the first scored part of the process, e.g., for a written examination. The description of the promotion process should be as detailed as is necessary to indicate clearly to candidates what they can expect. Information should include expected duration of the entire process; format, length, and duration of the written examination, if any; a summary of the role of the oral interview; cut-off scores on written and oral evaluations; a description of the assessment center, if any; and the numerical weight assigned to each element of the process. (M M M M)

**34.1.6** *A written directive establishes criteria and procedures for the development and use of eligibility lists, if any, for sworn positions to include, at a minimum:*

- a. *the numerical weight, if any, assigned to each eligibility requirement;*
- b. *the system of ranking eligible candidates on the lists;*
- c. *time-in-grade and/or time-in-rank eligibility requirements, if any;*
- d. *the duration of the lists; and*
- e. *the system for selecting names from the lists.*

**Commentary:** None. (M M M M)

**34.1.7** *In the absence of controlling legislation, a written directive requires at least a six-month probationary period for all sworn personnel who are promoted, with any exceptions defined.*

**Commentary:** The agency should include a probationary period among the final steps in the process to ensure newly promoted employees can assume the duties and responsibilities of the new positions, an intent consistent with selection procedures for entry-level officers. Employees on probation should be closely observed and evaluated frequently. Unsatisfactory performance should be identified and corrected early through counseling, training, or other suitable personnel actions to safeguard against the promotion of employees beyond their capabilities. Exceptions while rare may occur. The agency's written directive should include criteria necessary to exempt a newly promoted officer from this requirement. (M M M M)

# 35

## PERFORMANCE EVALUATION

To achieve its stated objectives, a law enforcement agency must be able to depend on satisfactory work performance from all employees. Performance evaluation is the measurement by the employee's supervisor of the worker's on-the-job performance of assigned duties. This chapter deals with the principles of performance evaluation and the manner in which it should be carried out, whether structured or not.

There is a direct relationship between performance evaluation and the subjects dealt with in other chapters, particularly those on recruitment (Chapter 31), selection (Chapter 32), training (Chapter 33), promotion (Chapter 34), classification (Chapter 21), and grievance procedures (Chapter 25). This relationship is based on the fact that the nature and quality of the employees' performance have a bearing on their working life in the agency, on the manner in which they relate to management, and on their assignments and promotions.

Performance evaluation in the law enforcement field varies considerably. Centralized personnel agencies will usually have requirements for performance evaluation of all employees within their jurisdictions.

It is important that the principles of evaluation be applied by all agencies to ensure the best use of human resources available, to ensure that personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of each employee.

Constant attention by management is needed to eliminate personal error and biases on the part of the raters. The key to successful operation of the performance evaluation system will always be the chief executive officer, who must monitor its functioning to ensure that it is fair and impartial and is achieving established objectives consistent with sound personnel management.

### 35.1 Administration

**35.1.1** *A written directive defines the agency's performance evaluation system and includes, at a minimum:*

- a. measurement definitions;*
- b. procedures for use of forms;*
- c. rater responsibilities; and*
- d. rater training.*



**Commentary:** A central personnel agency may or may not incorporate performance evaluation as part of its overall management activities. Where it does, some features of the evaluation system may not suit the needs of the law enforcement agency. Although policies and procedures may be developed by a centralized agency, it remains the responsibility of the chief executive officer to adapt and amplify those guidelines to meet the agency's needs. (M M M M)

**35.1.2** *A written directive requires a performance evaluation of each full-time employee and reserve officer be conducted and documented at least annually with the exception of the agency CEO, constitutionally elected officials, or those employees exempted by controlling legislation.*

**Commentary:** The purposes of performance evaluation are to standardize the nature of the personnel decision making process, ensure the public that the agency's personnel are qualified to carry out their assigned duties, and provide job incumbents with necessary behavior modification information to allow them to maintain behaviors that are appropriate from the agency's standpoint and to eliminate inappropriate behaviors. Agencies are encouraged to evaluate part-time employees. (M M M M)

**35.1.3** *A written directive requires a written performance evaluation report on all entry-level probationary employees and reserve officers at least quarterly.*

**Commentary:** A separate set of criteria is important in the rating of personnel on probation in order to determine, at the earliest point, their suitability for the current position. The principal objective of supervisors rating probationary employees is to ascertain whether they can actually perform the required functions. Performance should be closely monitored and written evaluations should be a part of this process. (M M M M)

**35.1.4** *Criteria used for performance evaluation are specific to the assignment of the employee during the rating period.*

**Commentary:** None. (M M M M)

**35.1.5** *A written directive concerning the personnel evaluation system requires:*

- a. the evaluation of the employee's performance covers a specific period;*
- b. explanatory comments when performance ratings are unsatisfactory or outstanding;*
- c. that each performance evaluation report is reviewed and signed by the rater's supervisor;*
- d. that the employee will be given the opportunity to sign and make written comments to supplement the completed performance evaluation report;*
- e. that a copy of the completed evaluation report be provided to the employee;*
- f. an appeal process for contested evaluation reports; and*
- g. retention of performance evaluation reports.*

**Commentary:** Evaluation reports may be regular periodic reports or interim reports for varying reasons. The actual dates covered by the evaluation, shown on the face of the report, are required to provide a continuity of the record of performance during a specified period. Performance of the employee prior to or following the rating period should be excluded from the rating for that period. Raters

should be prepared to substantiate ratings in the lowest or highest categories and give specific reasons for the ratings through a narrative comment.

Each evaluation report on an employee's performance should be read and understood by the employee. The signature should indicate only that the employee has read the report and should not imply agreement or disagreement with the contents. If the employee refuses to sign, the supervisor should so note and record the reason or reasons, if given.

The retention schedule should be consistent with applicable legislation or civil service regulations. Where these do not exist, a period of three years is recommended. (M M M M)

**35.1.6** *A written directive requires that non-probationary employees be advised in writing whenever their performance is deemed to be unsatisfactory and that the written notification be given to them at least 90 days prior to the end of the annual rating period.*

**Commentary:** The supervisor should be prepared to substantiate ratings at the unsatisfactory level, to advise the employee of unsatisfactory performance, and to define actions that should be taken to improve his or her performance. If unsatisfactory performance continues, this information should be included in the evaluation report at the end of the 90-day period. Some flexibility concerning the 90-day period is allowable if the spirit of the standard is observed. (M M M M)

**35.1.7** *A written directive requires that each employee be counseled at the conclusion of the rating period, to include the following areas:*

- a. *results of the performance evaluation just completed;*
- b. *level of performance expected, rating criteria or goals for the new reporting period; and*
- c. *career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.*

**Commentary:** The intent of this standard is to ensure that at least once each year, the immediate supervisor of each employee provides feedback regarding employee performance. It is critical that counseling of this type include both a review of performance over the prior rating period and, as a matter of fairness to the employee, an indication of the expectations for the upcoming reporting period. This is also an appropriate time to review the employee's career goals within the agency. However, nothing in this standard should be interpreted as requiring that these items be completed in one single session by the same supervisor. Agencies have flexibility in complying with this standard, and may, for example, conduct career counseling activities at a separate time by specialists in this area. (M M M M)

**35.1.8** *A written directive requires raters to be evaluated by their supervisors regarding the quality of ratings given employees.*

**Commentary:** Supervisors should evaluate raters regarding the fairness and impartiality of ratings given, their participation in counseling rated employees, and their ability to carry out the rater's role in the performance evaluation system. The supervisor should ensure that the raters apply ratings uniformly. (O O O O)

**35.1.9** *A written directive establishes a Personnel Early Warning System to identify agency employees who may require agency intervention efforts. The system shall include procedures for:*

- a. provisions to initiate a review based on current patterns of collected material;*
- b. agency reporting requirements of conduct and behavior;*
- c. documented annual evaluation of the system;*
- d. the role of first and second level supervision;*
- e. remedial action; and*
- f. some type of employee assistance such as a formal Employee Assistance Program, peer counseling, etc.*

**Commentary:** A comprehensive Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential problem employees and a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The agency's Personnel Early Warning System should be initiated when certain types of incidents occur and there should be an evaluation of collected material. Such material may include, but not necessarily be limited to: agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs, supervisory and employee reports such as workmen's compensation claims, and traffic accidents.

The agency should not be faced with investigating an employee for a serious case of misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention. The failure of the agency to develop a comprehensive Personnel Early Warning System can lead to the erosion of public confidence in the agency's ability to investigate itself, while putting the public and agency employees in greater risk of danger.

A Personnel Early Warning System should include options and reviews available through use of force reporting (Subchapter 1.3, Use of Force), the disciplinary system (Chapter 26, Disciplinary Procedures), employee assistance program (Chapter 22, Compensation, Benefits, and Conditions of Work) and Internal Affairs (Chapter 53, Internal Affairs).

The first and second levels of supervision are crucial elements to a successful Personnel Early Warning System and should be emphasized in the agency's procedures. (MMMM)

# 41

## PATROL

Standards in this chapter relate to the administration, operation, and equipment of the patrol function of a law enforcement agency.

The word “patrol” is used here in its broadest sense. It is considered to be a primary law enforcement function and embraces much more than the act of patrolling. It is defined as a generalized function in which officers may be engaged in a variety of activities which can range from traditional response to requests for service to alternate strategies for the delivery of police services.

### 41.1 Administration

**41.1.1** *The agency has a written directive which describes:*

- a. *provisions for continuous patrol coverage;*
- b. *assignment to patrol shifts;*
- c. *frequency of shift rotation, if any;*
- d. *assignment to service areas, if any;*
- e. *frequency of service area rotation, if any; and*
- f. *determination of days off.*

**Commentary:** This standard does not require 24-hour preventive patrol, nor does it limit the flexibility of the agency to assign personnel to community-based initiatives. Rather, the intent of this standard is to ensure that on-duty personnel are available to respond for police service or, at a minimum, includes provisions for concurrent jurisdictional coverage in the event that the agency cannot provide 24-hour coverage. As a consequence, a method for assigning available officers to shifts, service areas, and days off should be developed and followed consistently. A uniform procedure helps to ensure impartiality in the process. However, agency management should retain the final authority to assign officers to shifts and service areas in order to provide effective coverage, ensure accountability, and achieve organizational goals and objectives. (M M M M)

**41.1.2** *A written directive describes the agency’s method for shift briefing.*

**Commentary:** Shift briefing can accomplish the following basic tasks: briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations, potential and actual police hazards, changes in the status of wanted persons, stolen vehicles, major investigations, and information regarding relevant community-based initiatives; notifying officers of changes in schedules and assignments; and notifying officers of new directives or changes in directives. If officers do not report for

# 31

## RECRUITMENT

A task as important as the recruitment and selection of law enforcement personnel should be approached from a positive viewpoint. Agencies, through the authority of their respective governments and administrations, should identify and employ the best candidates available, not merely eliminate the least qualified. The benefits of effective recruitment and selection policies are manifested in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, and more efficient and effective services.

The recruitment standards of the law enforcement accreditation process have embraced several important philosophical concepts in this chapter. The first concept is the expectation that an accredited agency will be an equal opportunity employer. Equal opportunity is the removal of barriers that prevent people from being treated fairly for employment purposes.

The second concept is the expectation that the agency's sworn work force will be representative of the available workforce in the agency's service community relative to its ethnic and gender composition. If any group is underrepresented, the recruitment plan will include proactive steps to encourage members of that group to seek employment opportunities.

Under the accreditation program, the recruitment plan does not mandate hard quotas, such as hiring one female for every two males hired, nor is an agency expected to lower legitimate job-related hiring standards or criteria. Agencies are never expected to hire an individual who is not qualified to perform the duties of the job involved.

Agencies should be aware of several important assumptions that are built into the accreditation standards. Some standards are applicable only to those agencies with ongoing or active recruitment efforts. Agencies that only recruit to fill actual or forecast vacancies are relieved from continuous recruiting requirements but must comply with those standards that apply at the time of each recruiting campaign. However, two of the standards are operative for all agencies regardless of whether there are job vacancies: standard 31.2.1 establishing a recruitment plan if the proportion of minority group or women employees is lower than the proportion of these groups in the work force of the community, and standard 31.2.3 requiring an equal employment opportunity plan.

It is also understood that some agencies are required to handle their personnel through a state or local civil service merit system and are, therefore, linked to that system in the recruitment of law enforcement personnel. Obviously, every agency is obligated to comply with all applicable statutes and policy directives. However, the agency is required to show that the civil service agency upon which it depends is in compliance with applicable standards.

## 31.1 Administrative Practices and Procedures

### 31.1.1 *The agency actively conducts, or participates in its recruitment program.*

**Commentary:** When the authority for recruitment is shared with other agencies, the law enforcement agency should seek to involve itself directly or indirectly in all activities critical to the recruitment effort. (M M M M)

### 31.1.2 *Individuals assigned to recruitment activities are knowledgeable in personnel matters, especially equal employment opportunity.*

**Commentary:** Prior to initiating recruitment activities, recruiters should undergo a training program that provides knowledge and skills in the following areas: the agency's recruitment needs and commitments; agency career opportunities, salaries, benefits, and training; federal and state compliance guidelines; the community and its needs (including demographic data, community organizations, educational institutions, etc.); cultural awareness, or an understanding of different ethnic groups and subcultures; techniques of informal record-keeping systems for candidate tracking; the selection process utilized by the central personnel operation or agency (including procedures involved in conducting background investigations and written, oral, or physical agility examinations); recruitment programs of other jurisdictions; characteristics that disqualify candidates; and medical requirements. (M M M M)

## 31.2 Equal Employment Opportunity and Recruitment

### 31.2.1 *The agency has ethnic and gender composition in the sworn law enforcement ranks in approximate proportion to the makeup of the available work force in the law enforcement agency's service community, or a recruitment plan pursuant to standard 31.2.2.*

**Commentary:** Recruitment steps should be directed towards the goal of approximating within the sworn ranks the demographic workforce composition of the community that it serves.

Statistics on the composition of the work force in the agency's service community are available from a variety of sources, such as the U.S. Department of Labor's Bureau of Labor Statistics or national labor statistics. For the purposes of this standard, available workforce may be determined by considering several factors; for example, the residential makeup, those working in the agency's community, applicant demographics, and the parameters of any officer residency requirements, if applicable. (M M M M)

### 31.2.2 *The agency has a recruitment plan for full-time sworn personnel, that includes the following elements:*

- a. *statement of objectives;*
- b. *plan of action designed to achieve the objectives identified in bullet (a);*
- c. *procedures to evaluate the progress toward objectives every three years; and*
- d. *revise/reissue the plan as needed.*

**Commentary:** The recruitment plan should be written so that it can be easily understood and followed. The foundation of a successful recruitment drive should include strong management commitments, an

analysis of demographic/geographic features of the agency's service area, and specific knowledge of past recruitment efforts by similar agencies. The recruitment plan may be a part of the written directive system or a separate and distinct planning document. The plan should govern agency activities relating to recruitment during a specific period of time, which should not exceed three years without being reviewed and having objectives updated.

The objectives of a recruitment plan should be reasonable, obtainable, and directed toward the goal of achieving a sworn work force that is representative of the composition of the available work force it serves. The specific action steps contained in the agency's recruitment plan should be reasonably likely to cause the agency to meet the objectives identified in the plan.

Examples of specific action steps that may be identified in an agency's recruitment plan include:

- utilizing in the agency's recruitment activities minority personnel who are fluent in the community's non-English languages and are aware of the cultural environment, where this would be applicable;
- depicting women and minorities in law enforcement employment roles in the agency's recruitment literature;
- conducting recruitment activities outside of the agency's jurisdiction, when necessary, to attract viable law enforcement candidates. Restricting recruiting to the agency's service area may limit the potential number of qualified applicants available from underrepresented groups; and
- conducting periodically a "career" or "information" night for a particular target group.

(M M M M)

### **31.2.3** *The agency has an equal employment opportunity plan.*

**Commentary:** The equal employment opportunity (EEO) plan should ensure equal opportunities for employment and employment conditions for minority persons and women. The equal employment opportunity plan should be based on an annual analysis of the agency's present employment policies, practices, and procedures relevant to their effective impact on the employment and utilization of minorities and women. The equal employment opportunity plan, which may be produced in the form of a written directive, may contain such provisions as: (1) a strongly worded statement from the agency's CEO that it is agency policy to ensure that all individuals be given equal opportunity for employment, regardless of race, sex, creed, color, age, religion, national origin, or physical impairment; (2) a procedure for filing complaints relating to EEO; and (3) specific action steps that the agency should take to ensure equal employment opportunity is a reality, such as advertising as an "equal opportunity employer" or providing applications or testing processes at decentralized, easily accessible locations. The policies relating to harassment in the workplace may also be incorporated into the agency's overall EEO effort (see standard 26.1.3). (M M M M)

## **31.3 Job Announcements and Publicity**

### **31.3.1** *The agency's job announcements and recruitment notices for all personnel:*

- a. *provide a description of the duties, responsibilities, requisite skills, educational level, and other minimum qualifications or requirements;*

- b. *advertise entry-level job vacancies through electronic, print, or other media;*
- c. *advertise the agency as an equal opportunity employer on all employment applications and recruitment advertisements; and*
- d. *advertise official application filing deadlines.*

**Commentary:** The agency should provide the most accurate and precise job description possible to avoid undue delay and wasted time on the part of the agency and the applicant. When the most important performance dimensions are known, potential applicants are in a better position to relate their particular knowledge, understanding, and skills to those required by the position to be filled. The agency saves the time and expense of making determinations that the applicants could have made, had they been fully apprised.

The agency should ensure that job announcements do not set standards or criteria that even unintentionally screen out, or tend to screen out, an individual with a disability or class of individuals with disabilities, unless the criteria are job-related and consistent with business necessity. Job announcements should not set standards that cannot be specifically supported and should avoid general requirements such as “excellent health” or “no history of psychological or emotional disorders.” (Refer to Section 102, Americans with Disabilities Act.) (M M M M)

**31.3.2** *The agency posts all job announcements with community service organizations and/or seeks cooperative assistance from community organization key leaders.*

**Commentary:** The agency should seek permission to post job announcements with community organizations that are in contact with individuals who are likely candidates for recruitment. The agency should seek to achieve broader dissemination and greater exposure of recruitment information. The agency should consider technological resources, such as the Internet, when posting all job announcements. (O M M M)

**31.3.3** *Contact is maintained with applicants for all positions from initial application to final employment disposition.*

**Commentary:** Applicants should be periodically informed of the status of their applications. Applicant contacts should be documented and logged. The agency should consider technological resources for maintaining contact with applicants. (M M M M)

**31.3.4** *Applications for all positions are not rejected because of minor omissions or deficiencies that can be corrected prior to the testing or interview process.*

**Commentary:** Applications that are deficient should be processed routinely if the deficiency can be rectified prior to the testing or interview process. (M M M M)



## SELECTION

The selection process is defined as the combined effect of components and procedures leading to the final employment decision. It is a key component in defining the operational effectiveness of a law enforcement agency. All jurisdictions necessarily differ in a variety of unique and important ways regarding personnel selection. Nevertheless, basic principles exist for the development of an efficient, effective, and fair selection process that results in the appointment of those individuals who best possess the skills, knowledge, and abilities (SKA) necessary for an effective, respected law enforcement agency.

A job-related, useful, and nondiscriminatory selection process is dependent upon a number of professionally and legally accepted administrative practices and procedures, which include informing candidates of all parts of the selection process at the time of formal application; maintaining written procedures governing lateral entry and reapplication of unsuccessful candidates; and ensuring timely notification of candidates about their status at all critical points in the process. These procedures and practices significantly contribute to a more efficient, effective, and fair selection process.

It is understood that some agencies are required to handle their personnel through a state or local civil service merit system and are, therefore, linked to that system in the selection of their law enforcement personnel. Every agency is obligated to comply with all applicable statutes and policy directives. This may result in the agency being unable to unilaterally comply with certain standards, but Guiding Principle 1.2 requires the agency to seek compliance from outside sources. The agency is required to show that the civil service agency upon which it depends is in compliance with applicable standards.

### 32.1 Professional and Legal Requirements

**32.1.1** *Written directives describe all elements and activities of the selection process for all full-time personnel.*

**Commentary:** Such written directives are essential for the proper administration, use, and defensibility of the selection process. The directive should describe the order of events in the selection process and should include, at the least, information about the purpose, development, job relatedness, administration, scoring, and interpretation of all elements used in the selection process. The law enforcement agency may rely upon a state or local civil service commission, employment agency, or other public or private organization to administer or provide one or more elements of the selection process. If so, a copy of all relevant manuals should be maintained on file by the law enforcement agency. Written directives should

describe the selection process in detail and include timetables, the order of events, administration, scoring, interpretation of test results, and other pertinent information. (M M M M)

**32.1.2** *All elements of the selection process for sworn personnel use only those rating criteria or minimum qualifications that are job related.*

**Commentary:** The intent of this standard is to ensure that candidates are evaluated by a selection process that measures traits or characteristics that are a significant part of the job. It is not sufficient for an agency to merely say in a directive that its procedures are job related.

There are a variety of means by which job-relatedness can be shown. An agency may choose, for example, to demonstrate that an oral examination measures traits that are shown by the task analysis to be significant or necessary to perform the job. An assessment center may be shown to measure the performance of tasks or skills that the task description has shown to be essential job functions (see Chapter 21 regarding task analysis and job descriptions).

The agency may also demonstrate job-relatedness through a process which validates the selection mechanism as a predictor of future job success. A written test may be statistically validated as being able to assess skills necessary for the job of sworn officer. Many commercially produced tests have documentation that will support validation. Agencies are encouraged to seek assistance in this area from competent personnel resources as many of the validation concepts are technical and/or unfamiliar to police professionals.

Nothing in this standard should be interpreted as preventing an agency from using a combination of methods to document the job-relatedness of its selection process. The goal of this standard is to ensure that the agency has the documentation necessary to make a logical and persuasive case, in the event of a legal challenge, that the elements of the selection process measure skills, knowledge, abilities, and traits needed to perform that job. (M M M M)

**32.1.3** *A written directive requires that all elements of the selection process for all personnel be administered, scored, evaluated, and interpreted in a uniform manner within the classification.*

**Commentary:** Operational elements of the selection process—time limits, oral instructions, practice problems, answer sheets, and scoring formulas—should be clearly set forth and carried out identically for all candidates. Failure to do so may preclude validation of the process and make the agency susceptible to legal challenges. (M M M M)

**32.1.4** *At the time of their formal application, candidates for all positions are informed, in writing, of:*

- a. *all elements of the selection process;*
- b. *the expected duration of the selection process; and*
- c. *the agency's policy on reapplication.*

**Commentary:** A listing of selection elements should include, but is not limited to, all written physical and psychological examinations, polygraph examinations, oral interviews, and background investiga-

tions. From the outset, candidates should be made aware that sensitive or confidential aspects of their personal lives may be explored. Written notification of the expected duration of the selection process not only is a courtesy but also helps the agency better plan and coordinate its selection process. (M M M M)

**32.1.5** *All candidates not selected for positions are informed in writing.*

**Commentary:** Prompt notification in writing is not only an essential element of an efficient administrative organization but also is fundamental to a fair and effective selection process. Candidates should be informed within 30 days of such a decision. (M M M M)

**32.1.6** *A written directive governs the disposition of the records of all candidates not selected for appointment.*

**Commentary:** It is necessary to maintain selection data to ensure continuing research, independent evaluation, and defense against lawsuits. The agency should determine requirements, consistent with applicable laws, for maintaining identifying information, such as names and addresses. The agency should comply with all federal, state, and local requirements regarding the privacy, security, and freedom of information of all candidate records and data. (M M M M)

**32.1.7** *A written directive requires that selection materials be stored in a secure area when not being used and are disposed of in a manner that prevents disclosure of the information within.*

**Commentary:** The agency responsible for selection materials should limit access to them and store them in locked files to provide 24-hour security. Selection materials should not be left unattended. (M M M M)

## **32.2 Administrative Practices and Procedures**

**32.2.1** *A background investigation of each candidate for all positions is conducted prior to appointment to probationary status, and includes:*

- a. *verification of qualifying credentials;*
- b. *a review of any criminal record; and*
- c. *verification of at least three personal references.*

**Commentary:** It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier. (M M M M)

**32.2.2** *Personnel used to conduct background investigations are trained in collecting required information.*

**Commentary:** None. (M M M M)

**32.2.3** *In the absence of controlling legislation, the agency has a policy regarding the retention of each candidate's background information.*

**Commentary:** None. (M M M M)

**32.2.4** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, candidates are provided with a list of areas from which polygraph questions will be drawn, prior to such examination.*

**Commentary:** Agencies are not required to administer polygraph examinations or other truth verification tests to all job classifications. For example, polygraph examinations may be required for sworn personnel but need not be required for non-sworn personnel. (M M M M)

**32.2.5** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, the administration of examinations and the evaluation of results are conducted by personnel trained in these procedures.*

**Commentary:** The sensitive nature of these tests makes it necessary to rely upon examiners who possess professional training and credentials in the use and interpretation of these investigative tools. (M M M M)

**32.2.6** *A written directive prohibits the use of results of polygraph examinations or other instruments for the detection of deception as the single determinant of employment status.*

**Commentary:** Authorities agree that polygraph examinations or other instruments for the detection of deception should be used only as an investigative aid, if at all. An admission during pre-test, test, or post-test interviews, together with other information, may be sufficient to support decisions relevant to employment status. (M M M M)

**32.2.7** *A medical examination is conducted, prior to appointment to probationary status, to certify the general health of each candidate for a sworn position.*

**Commentary:** None. (M M M M)

**32.2.8** *An emotional stability and psychological fitness examination of each candidate for a sworn position is conducted and assessed by a qualified professional prior to appointment to probationary status.*

**Commentary:** None. (M M M M)

**32.2.9** *In the absence of controlling legislation, the agency has a policy regarding the retention of the results of medical examinations, emotional stability and psychological fitness examinations.*

**Commentary:** The agency should maintain a report of each physical examination and emotional stability and psychological fitness examination to ensure proper procedures are followed and to provide data for continuing research and legal defense, if needed. All records should be stored in a secure area.

Access should be restricted to those persons legally entitled to review these records. The files or records may be maintained in agency files or at the location of the medical examination provider.  
(M M M M)

**32.2.10** *In the absence of controlling legislation, at least a six-month probationary period for sworn personnel following completion of entry-level classroom training is required before candidates are granted permanent status.*

**Commentary:** The agency should include a probationary period among the final steps in the selection process. A six-month probationary period is generally accepted as a minimum among the law enforcement community and should be carefully related to the field training program (see standard 33.4.3). Exceptions to the probation period if any, should be described in the directive. Exceptions may include special assignments, injury, or illness occurring during entry-level training and remedial training.  
(M M M M)

## TRAINING AND CAREER DEVELOPMENT

Standards in this chapter relate to the training and career development of law enforcement personnel. Subchapters address the organization and administration of the training function; training academy administration; training instructors; recruit training; in-service, shift briefing, and advanced training; specialized training; civilian personnel training; and career development.

Training has often been cited as one of the most important responsibilities in any law enforcement agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, training fosters cooperation and unity of purpose. Moreover, agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training.

Training programs should ensure that the needs of the agency are addressed and that there is accountability for all training provided. In particular, training should be consistent with the agency's mission and values as well as goals and objectives. Agency training functions should be the responsibility of the training component, which should be accountable for developing and administering training programs. Program development should provide for input from several sources, including agency personnel in general, a training committee, the inspections function, and, most importantly, the agency's chief executive officer.

Career development is a structured process that is utilized by an agency to provide opportunities for individual growth and development at all levels. It is designed to promote productive, efficient, and effective job performance and to improve the overall level of individual job satisfaction.

So that agencies can deal effectively with law enforcement problems in an increasingly complex and sophisticated society, there should be parallel increases in the level of education and training required for law enforcement officers. Higher education, by itself, is not an absolute answer in achieving improvement in law enforcement agencies. However, officers who have received a broad general education have a better opportunity to gain a more thorough understanding of society, to communicate more effectively with citizens, and to engage in the exploration of new ideas and concepts.

## 33.1 Administration

**33.1.1** *A written directive establishes a training committee in the agency and includes provisions for the following:*

- a. composition of the committee;*
- b. the process for selecting and replacing committee members;*
- c. the relationship of the training function to the committee;*
- d. authority and responsibilities of the committee; and*
- e. designation of the person or position to whom the committee reports.*

**Commentary:** The training committee should assist in developing and evaluating training needs and serve as a focal point for input from those representing agency components. The role of the committee should be clearly established to promote effective committee operation and to prevent misunderstandings. (N/A O O O)

**33.1.2** *A written directive governs attendance requirements for employees assigned to authorized agency training programs.*

**Commentary:** The directive should describe exceptions and provide procedures for documenting attendance, excusing participants for such events as court appearances, making up time that is missed as the result of excused and unexcused absences, and ensuring that employees are recognized for successful completion of the training program. (M M M M)

**33.1.3** *A written directive governs agency reimbursements to employees attending training programs in or outside the agency's service area.*

**Commentary:** The directive should describe the conditions under which reimbursement may be provided for mileage, meals, housing, fees, books, or materials for training programs conducted in or outside the agency's service area (see standard 22.2.2). (O O O O)

**33.1.4** *The agency requires lesson plans for all training courses conducted by the agency, to include:*

- a. a statement of performance and job-related objectives;*
- b. the content of the training and specification of the appropriate instructional techniques;*
- c. a process for approval of lesson plans; and*
- d. identification of any tests used in the training process.*

**Commentary:** The development of lesson plans should ensure that the subject to be covered in training is addressed completely and accurately and is properly sequenced with other training materials. Lesson plans establish the purpose of the instruction, set forth the performance objectives, relate the training to critical job tasks, and identify ethical considerations related to the topic. Consideration should be given to the relevance of training courses to the organization's mission and values. Lesson plans should be required of nonresident instructors as well as resident academy staff.

The lesson plans should also include references, teaching techniques (lecture, group discussion, panel, seminars, debate), relationships to job tasks, responsibilities of the participants for the material taught, and plans for evaluation of the participants. The instructional techniques that should be incorporated are conferences (debate, discussion groups, panels, and seminars); field experiences (field trips, interviews, operational experiences, and operational observations); presentations (lecture, lecture discussion, and lecture demonstration); problem investigations (committee inquiry); and simulations (case study, games, and role-play). (M M M M)

**33.1.5** *A written directive establishes agency policy concerning remedial training.*

**Commentary:** The directive should include the circumstances and criteria used to determine the need for remedial instruction, the timetables under which remedial training is provided, and the consequences of participation or nonparticipation by the affected personnel. The directive should recognize the uses of remedial instruction in other than recruit training and should comment on the relationship between the inspections and training functions (see standard 26.1.4). (M M M M)

**33.1.6** *A written directive requires the agency to update records of employees following their participation in training programs.*

**Commentary:** As personnel complete training programs, the date of the training, the types of training received, any certificates received, attendance, and test scores should be recorded for each trainee. (M M M M)

**33.1.7** *The agency maintains records of each training class it conducts to include, at a minimum:*

- a. course content (lesson plans);*
- b. names of agency attendees; and*
- c. performance of individual attendees as measured by tests, if administered.*

**Commentary:** The intent of the standard is to ensure that the agency documents the nature of the instruction, the identity of those attending the sessions, and the performance of the attendees. The standard would be satisfied in part by maintaining on file the lesson plans used by the course instructors. (M M M M)

## **33.2 Academy**

**33.2.1** *If the agency operates a training academy, a written directive requires provisions for the administration and operation of the academy, to include:*

- a. a statement of the academy's goals and responsibilities;*
- b. organization and staffing;*
- c. administrative procedures;*
- d. operating procedures; and*
- e. an orientation handbook issued to all new recruit personnel at the time academy training begins.*



**Commentary:** The agency may wish to develop a manual that addresses the operational and administrative requirements of the academy. The directive, or manual, should also identify the physical plant and other facilities, such as a firing range or driver-training track, that are the responsibility of the academy.

In the new environments of both the law enforcement profession and a law enforcement training academy, new personnel should be provided with information concerning the organization of the academy; the academy's rules and regulations; the academy's rating, testing, and evaluation system; physical fitness and proficiency skill requirements; and daily training schedules. (M M M M)

**33.2.2** *If the agency operates an academy facility, the facility includes, at a minimum:*

- a. *classroom space consistent with the curriculum being taught;*
- b. *office space for instructors, administrators, and secretaries;*
- c. *physical training capability; and*
- d. *a library.*

**Commentary:** The agency should have access to training facilities but need not necessarily own the facilities. The size and type of the facilities should be consistent with the academy curriculum. The academy should also have access to a firing range and a paved driver-training track with a minimum of a circular driving surface of one-quarter mile, a skidpan, and a straightaway. The driver training track and the firing range may be located away from the academy's main facility. (M M M M)

**33.2.3** *If agency personnel are trained in an outside academy, a written directive describes the relationship between the agency and the outside academy.*

**Commentary:** An agency may choose to avail itself of recruit, in-service, or specialized training in an academy not operated by the agency, e.g., regional academy, state operated academy. Regardless of the reasons for participation, the written directive should provide the basis for the agency's participation in the academy to ensure that training needs are being met. To safeguard the interests of both the agency and the academy while agency personnel are attending academy training, the directive should also specify any legal liabilities of the agency and/or academy. The directive should also describe: the legal basis for participation in the academy; the relationship of the agency training function and the agency to the academy; the process for providing agency input to the academy program; the circumstances under which the agency provides staff, facilities, instructors, and other resources to the academy; financial obligations of the agency to the academy; and the method for determination of the legal liability of the participating agencies. (M M M M)

**33.2.4** *If agency personnel are trained in an outside academy, a written directive governs the training to be received by agency personnel regarding agency policies, procedures, rules, and regulations.*

**Commentary:** In addition to the training and skills taught at an outside academy, the agency should provide instructions in policies and procedures that are specific to the agency. The written directive may provide for such training at the outside facility or after the personnel return to the agency following completion of training. (M M M M)

### 33.3 Training Instructors

**33.3.1** *Personnel assigned to the training function in a full-time capacity as instructors receive training which includes, at a minimum:*

- a. *lesson plan development;*
- b. *performance objective development;*
- c. *instructional techniques;*
- d. *testing and evaluation techniques; and*
- e. *resource availability and use.*

**Commentary:** The agency should require that all full-time instructors be given training prior to assuming their teaching responsibilities. This training should be periodically updated and geared to meet any specific instructional problems of the agency. If the agency desires instructors to meet state instructor certification requirements, consideration should be given to meeting those requirements. (M M M M)

### 33.4 Recruit Training

**33.4.1** *The agency requires all sworn officers to complete a recruit training program prior to assignment in any capacity in which the officer is allowed to carry a weapon or is in a position to make an arrest, except as part of a formal field training program required in standard 33.4.3.*

**Commentary:** The intent of this standard is to preclude assigning persons to positions requiring the carrying of weapon, enforcing the law, or making arrests until they successfully complete a structured basic training course. Those persons who have been hired, but who have not yet completed the basic training course, could be used in such positions as communications, records, or other activities not requiring the carrying of a weapon, enforcing the law, or making an arrest. An exception is allowed for those trainees participating in the formal field training program required in standard 33.4.3.

(M M M M)

**33.4.2** *A written directive requires the agency's recruit training program, to include:*

- a. *a curriculum based on tasks of the most frequent assignment associated duties of officers who complete recruit training; and*
- b. *use of evaluation techniques designed to measure competency in the required skills, knowledge, and abilities.*

**Commentary:** None. (M M M M)

**33.4.3** *A written directive establishes a field training program for all newly sworn officers with a curriculum based on tasks of the most frequent assignments with provisions for the following:*

- a. *field training of at least four weeks for trainees, during and/or after the required classroom training;*
- b. *a selection process for field training officers;*
- c. *supervision of field training officers;*

- d. *liaison with the academy staff, if applicable;*
- e. *training and in-service training of field training officers;*
- f. *rotation of recruit field assignments;*
- g. *guidelines for the evaluation of recruits by field training officers; and*
- h. *reporting responsibilities of field training officers.*

**Commentary:** The goal of field training is to provide recruit trainees with “on street” experiences following the completion of classroom training as required in standard 33.4.1. A minimum four-week period permits time for rotation of recruits among the various training activities and objectives with which they may be familiar. In some cases, field training may be presented at intervals as part of a logically coherent classroom training program. Here, training is managed by providing classroom training followed by a short segment in the field to provide the trainee with “on street” experience in those curricular areas just covered in the classroom.

Whether presented during and/or after the classroom training, field training should be a closely supervised process, as the initial experience of recruits often shapes their future careers.

The field training program is an important adjunct of the formal recruit classroom training and should be as carefully organized, administered, and evaluated as classroom training. The field training program should be closely allied with the academy so that field training officers (FTOs) are aware of what skills and subjects have been taught and what roles the FTOs are to assume.

The selection process for FTOs is crucial to a successful program as many of the values, tactics, and attitudes of FTOs are transmitted to inexperienced officers. Initial training, as well as periodic in-service training, should be provided to FTOs to prepare them for and keep them current with their assigned responsibilities.

The relevance of the field training experience may be enhanced by providing guidelines to FTOs that define the responsibilities of the FTO and provide specific direction about the skills, knowledge, and abilities to be assessed, taught, or performed. The evaluative responsibilities of the FTOs should also be identified. (M M M M)

### **33.5 In-Service, Shift Briefing, and Advanced Training**

**33.5.1** *A written directive requires all sworn personnel to complete an annual retraining program, including legal updates.*

**Commentary:** The agency should ensure that personnel are kept up to date with new laws, technological improvements, and revisions in agency policy, procedures, rules, and regulations. The mandatory retraining may also be designed to provide supervisory, management, or specialized training to participants. Retraining may be used to supplement promotional training, training prior to assignment to a specialized component, or executive development training for higher-ranking officers. The agency should ensure that information included in retraining is included on promotional examinations.

The program should be structured to motivate experienced officers and to further the professionalism of the agency. The training should include a review of the following topics: agency policy, procedures, and

rules and regulations, with emphasis on changes; leadership; ethics and integrity, taking into consideration cultural influences, policy compliance, and doing what is correct rather than what is not illegal (see standard 26.1.1); statutory or case law affecting law enforcement operations, with emphasis on changes; the functions of agencies in the local criminal justice system; exercise of discretion in the decision to invoke the criminal justice process; interrogation and interviewing techniques; agency policy on the use of force, including the use of deadly force; emergency medical services; the performance evaluation system; emergency fire suppression techniques; new or innovative investigative or technological techniques or methods, if any; hazardous materials incidents; contingency plans, if any, including those relating to special operations and critical incidents; crime prevention policies and procedures; collection and preservation of evidence; report writing and records system procedures and requirements; and victim/witness rights, policies, and procedures. (M M M M)

### *33.5.2 A written directive governs shift briefing training.*

**Commentary:** Shift briefing training is a technique that may supplement all other training. Shift briefing training may be a useful element of agency training, if it is well managed and supervised. The goal of this training should be to keep officers up to date between formal retraining sessions. Agencies which do not have formal shift briefings, e.g., resident state troopers, deputy sheriffs, may accomplish the purpose of shift briefing training through other methods, to include in-car computers and other electronic means. To be useful to the agency, the shift briefing training program should be well structured and reflect the needs of the agency while being flexible enough to fit into a shift briefing setting. The written directive should include: planning for shift briefing training; techniques used in shift briefing training; relationships with the academy; instructional methods; instructional personnel; evaluation of shift briefing training; scheduling of training; and role of supervisors and officers (see standard 41.1.2). (O O O O)

### *33.5.3 Agency personnel shall receive information regarding the accreditation process as follows:*

- a. to all newly hired agency personnel within thirty days after their employment begins or within thirty days after completing the recruit academy;*
- b. to all agency personnel during the self-assessment phase associated with achieving initial accreditation; and*
- c. to all agency personnel prior to an on-site assessment.*

**Commentary:** The intent of this standard is twofold. First, it ensures that all employees are familiar with accreditation and what it entails during the self-assessment process. Second, familiarizing new employees with the process will provide a historical perspective and emphasize the importance of accreditation to the organization. It is recommended that familiarization include the history and background of accreditation and the agency's involvement in the process, the accreditation process, the goals and objectives of accreditation, and the advantages of accreditation and its impact on the agency. Familiarization may be achieved by such means as classroom instruction, newsletter, memo, and periodic attendance by command staff at conferences of the Commission on Accreditation for Law Enforcement Agencies, Inc. (M M M M)

**33.5.4** *A written directive requires agency employees assigned to the position of accreditation manager shall receive specialized accreditation manager training within one year of being appointed.*

**Commentary:** The role of accreditation manager is very specialized and requires familiarization with the accreditation process. At a minimum, the training should include information on the essential components of the process, the standards manual, and file maintenance. The individual selected as accreditation manager should attend at least one CALEA Conference during the self-assessment period or current award period. Agencies are urged to join and participate in Police Accreditation Coalition (PAC's) within their state or province. (O O O O)

### **33.6 Specialized In-Service Training**

**33.6.1** *A written directive identifies the assignments for which specialized training is required, and includes the following:*

- a. *a description of the required training; and*
- b. *retraining requirements, if any.*

**Commentary:** The agency should identify all of the functions for which both pre- and post-assignment specialized training is required. Specialized training includes supervised on-the-job training provided by the agency, training mandated by governmental authority such as training for certification as a breathalyzer operator, and training deemed necessary by the agency for the development and enhancement of the skills, knowledge, and abilities particular to the specialization, such as motorcycle units or marine patrol.

Persons responsible for crime scene processing should receive specialized criminalistics training commensurate with their duties and responsibilities. For example, DNA evidence should be collected only by persons appropriately trained.

The supervision and management of specialized functions includes responsibility for ensuring that persons assigned to the function receive adequate training and support services. (M M M M)

**33.6.2** *If the agency participates in a tactical team, the agency requires that all personnel assigned to the team engage in training and readiness exercises.*

**Commentary:** The purpose of this standard is to ensure that tactical team members have ample opportunity to practice their special skills and develop their abilities to function effectively as a team. This is necessary because many skills are perishable and should be exercised to build and maintain proficiency. Operational simulations should be included in the training program, and if the agency also has a separate hostage negotiation team, its personnel should be required to train periodically with the tactical team. All tactical training must be documented and the records retained pursuant to standard 33.1.6. (M M M M)

## 33.7 Civilian Training

**33.7.1** *A written directive requires all newly appointed civilian personnel to receive information regarding:*

- a. *the agency's role, purpose, goals, policies, and procedures;*
- b. *working conditions and regulations; and*
- c. *responsibilities and rights of employees.*

**Commentary:** None. (M M M M)

**33.7.2** *A written directive identifies the civilian positions for which pre-service and in-service training is required.*

**Commentary:** The agency personnel should receive initial and on-going training commensurate with their responsibilities. Such training should stress not only the skills necessary to perform technical aspects of their jobs but also the importance of the link they provide between citizen and agency, which often shapes a citizen's opinion of the agency. (M M M M)

## 33.8 Career Development

**33.8.1** *A written directive establishes training requirements for all personnel conducting career development activities.*

**Commentary:** Personnel, such as supervisors and counselors, who are assigned to conduct career development activities should undergo a period of orientation that should provide increased knowledge and skills in at least the following areas: general counseling techniques; techniques for assessing skills, knowledge, and abilities; salary, benefits, and training opportunities of the agency; educational opportunities and incentive programs; awareness of the cultural background of ethnic groups in the program; record-keeping techniques; career development programs of other jurisdictions; and availability of outside resources. (O O O O)

**33.8.2** *The agency provides job related training to all newly promoted personnel.*

**Commentary:** Such training should be commensurate with their new duties and should take place either prior to promotion or within the first year following promotion. (M M M M)

**33.8.3** *A written directive describes the agency's career development program.*

**Commentary:** The agency should assist employees in planning their career paths through the utilization of formal schooling opportunities and law enforcement related training courses to improve their skills, knowledge, and abilities. (O O O O)

## PROMOTION

Promotion denotes vertical movement in the organizational hierarchy from one rank classification or position to another, usually accompanied by increases in duties and responsibilities as well as salary. These standards are designed to improve the validity of the process and make the system less susceptible to court challenge.

The evaluation and selection of personnel for promotion begin with the identification of employees who appear to have the potential for assuming greater responsibility and who possess the skills, knowledge, and abilities required to perform at that level.

### 34.1 Professional and Legal Requirements

**34.1.1** *A written directive defines the agency's role in the promotion process for sworn personnel.*

**Commentary:** The law enforcement agency may rely upon a state or local civil service commission or other public or private external organization to administer or provide one or more elements of the process in accordance with legal, professional, and administrative requirements. Where a centralized personnel agency exists, the directive should govern the responsibilities retained by the law enforcement agency's chief executive officer for the promotion of personnel. The agency should have a role in the development of the measurement instruments that are used in determining the skills, knowledge, and abilities of employees for positions. (M M M M)

**34.1.2** *A written directive vests in an identifiable position the authority and responsibility for administering the agency's role in the promotion process for sworn personnel.*

**Commentary:** Although the written directive should identify a position responsible for the administration of the promotion process, a specific person may be designated. The person identified as the administrator of the process should have the authority to manage effectively its operation and direction. If responsibility is shared with or vested in another agency, e.g., a centralized personnel department or a civil service commission, the law enforcement agency should perform appropriate liaison activities to carry out the process. Even when authority is shared, the law enforcement agency should maintain the primary responsibility for certain key activities, such as oral interviews, promotions, and administration of all employees' probationary periods. (M M M M)

**34.1.3** *A written directive describes the procedures used for each element of the promotion process for sworn personnel, including those for:*

- a. *evaluating the promotional potential of candidates;*

- b. *administering written tests, if any;*
- c. *using assessment centers, if any;*
- d. *conducting oral interviews prior to appointment to probationary status;*
- e. *providing procedures for review and appeal of results for each promotional element by candidates;*
- f. *establishing procedures for reapplication, if any;*
- g. *determining promotional eligibility for vacancies where lateral entry is permitted, if any; and*
- h. *security of promotional materials.*

**Commentary:** The directive should describe all elements and procedures used in each promotional process and may be incorporated within a comprehensive personnel management or general policy and procedures manual.

Promotion potential ratings may replace or supplement on-the-job performance evaluations and may be used to determine an employee's initial eligibility for promotion or for ranking candidates on a list. Written examinations (including answer keys, cut-off scores, passing points, and/or numerical rankings) may be administered for each classification, position, or rank. Promotional criteria for lateral entry may include both eligibility qualifications and formal procedures for carrying out the process. Oral interviews should include uniform questions and rating scales and assess a defined set of personal attributes; the interview results should be recorded on a standardized form.

The right of candidates to review and challenge all aspects of the promotion process is an integral part of the process itself. Candidates should be allowed to review and appeal all scores and evaluations related to their performance in the process to ensure fairness and impartiality. The administrative review and appeal process may be conducted by individuals from within and outside the agency. An impartial review and appeal process should reduce or eliminate litigations. (M M M M)

**34.1.4** *All elements used to evaluate candidates for sworn personnel for promotion are job-related and nondiscriminatory.*

**Commentary:** The intent of this standard is to ensure that candidates are evaluated by a promotion process that measures traits or characteristics that are a significant part of the job. It is not sufficient for an agency to merely say in a directive that its procedures are job related. However, there are a variety of means by which job-relatedness can be shown.

An agency may choose, for example, to demonstrate that an oral examination measures traits that are shown by the job analysis to be significant or necessary to perform the job. An assessment center may be shown to measure the performance of tasks or skills that the job description has shown to be essential job functions (see Chapter 21 regarding job analysis and job descriptions).

The agency may also demonstrate job-relatedness by validation of a testing element. For example, an agency may demonstrate statistically that a written test is a predictor of future job success by correlating test scores with the performance of individuals on the job. If high test scores can be associated with individuals that are successful, and vice versa, then the process may be legally considered a valid means of measurement if the correlation is statistically significant. Agencies will normally need competent professional assistance from personnel specialists before undertaking a validation study of this type.



Many commercially available tests have done validation studies that may be helpful to an agency.

Nothing in this standard should be interpreted as preventing an agency from using a combination of methods to document the job-relatedness of its promotion process. The goal of this standard is to ensure that the agency has the documentation necessary to make a logical and persuasive case in the event of a legal challenge and that the elements of the promotion process measure skills, knowledge, abilities, and traits needed to perform that job. (M M M M)

**34.1.5** *The agency provides sworn personnel with a written announcement of the promotional process.*

**Commentary:** Announcements should be posted prominently and in a timely fashion and be augmented by periodic verbal reminders at staff meetings, conferences, and shift briefing sessions. A concise description of the vacancy should be provided, including the salary and the duties, responsibilities, skills, knowledge, and abilities required. Eligibility should be established during a formal qualifying period that continues until the closing date of the announcement, until the closing date for submitting a completed application, or until the date of the first scored part of the process, e.g., for a written examination. The description of the promotion process should be as detailed as is necessary to indicate clearly to candidates what they can expect. Information should include expected duration of the entire process; format, length, and duration of the written examination, if any; a summary of the role of the oral interview; cut-off scores on written and oral evaluations; a description of the assessment center, if any; and the numerical weight assigned to each element of the process. (M M M M)

**34.1.6** *A written directive establishes criteria and procedures for the development and use of eligibility lists, if any, for sworn positions to include, at a minimum:*

- a. *the numerical weight, if any, assigned to each eligibility requirement;*
- b. *the system of ranking eligible candidates on the lists;*
- c. *time-in-grade and/or time-in-rank eligibility requirements, if any;*
- d. *the duration of the lists; and*
- e. *the system for selecting names from the lists.*

**Commentary:** None. (M M M M)

**34.1.7** *In the absence of controlling legislation, a written directive requires at least a six-month probationary period for all sworn personnel who are promoted, with any exceptions defined.*

**Commentary:** The agency should include a probationary period among the final steps in the process to ensure newly promoted employees can assume the duties and responsibilities of the new positions, an intent consistent with selection procedures for entry-level officers. Employees on probation should be closely observed and evaluated frequently. Unsatisfactory performance should be identified and corrected early through counseling, training, or other suitable personnel actions to safeguard against the promotion of employees beyond their capabilities. Exceptions while rare may occur. The agency's written directive should include criteria necessary to exempt a newly promoted officer from this requirement. (M M M M)

# 35

## PERFORMANCE EVALUATION

To achieve its stated objectives, a law enforcement agency must be able to depend on satisfactory work performance from all employees. Performance evaluation is the measurement by the employee's supervisor of the worker's on-the-job performance of assigned duties. This chapter deals with the principles of performance evaluation and the manner in which it should be carried out, whether structured or not.

There is a direct relationship between performance evaluation and the subjects dealt with in other chapters, particularly those on recruitment (Chapter 31), selection (Chapter 32), training (Chapter 33), promotion (Chapter 34), classification (Chapter 21), and grievance procedures (Chapter 25). This relationship is based on the fact that the nature and quality of the employees' performance have a bearing on their working life in the agency, on the manner in which they relate to management, and on their assignments and promotions.

Performance evaluation in the law enforcement field varies considerably. Centralized personnel agencies will usually have requirements for performance evaluation of all employees within their jurisdictions.

It is important that the principles of evaluation be applied by all agencies to ensure the best use of human resources available, to ensure that personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of each employee.

Constant attention by management is needed to eliminate personal error and biases on the part of the raters. The key to successful operation of the performance evaluation system will always be the chief executive officer, who must monitor its functioning to ensure that it is fair and impartial and is achieving established objectives consistent with sound personnel management.

### 35.1 Administration

**35.1.1** *A written directive defines the agency's performance evaluation system and includes, at a minimum:*

- a. measurement definitions;*
- b. procedures for use of forms;*
- c. rater responsibilities; and*
- d. rater training.*

**Commentary:** A central personnel agency may or may not incorporate performance evaluation as part of its overall management activities. Where it does, some features of the evaluation system may not suit the needs of the law enforcement agency. Although policies and procedures may be developed by a centralized agency, it remains the responsibility of the chief executive officer to adapt and amplify those guidelines to meet the agency's needs. (M M M M)

**35.1.2** *A written directive requires a performance evaluation of each full-time employee and reserve officer be conducted and documented at least annually with the exception of the agency CEO, constitutionally elected officials, or those employees exempted by controlling legislation.*

**Commentary:** The purposes of performance evaluation are to standardize the nature of the personnel decision making process, ensure the public that the agency's personnel are qualified to carry out their assigned duties, and provide job incumbents with necessary behavior modification information to allow them to maintain behaviors that are appropriate from the agency's standpoint and to eliminate inappropriate behaviors. Agencies are encouraged to evaluate part-time employees. (M M M M)

**35.1.3** *A written directive requires a written performance evaluation report on all entry-level probationary employees and reserve officers at least quarterly.*

**Commentary:** A separate set of criteria is important in the rating of personnel on probation in order to determine, at the earliest point, their suitability for the current position. The principal objective of supervisors rating probationary employees is to ascertain whether they can actually perform the required functions. Performance should be closely monitored and written evaluations should be a part of this process. (M M M M)

**35.1.4** *Criteria used for performance evaluation are specific to the assignment of the employee during the rating period.*

**Commentary:** None. (M M M M)

**35.1.5** *A written directive concerning the personnel evaluation system requires:*

- a. the evaluation of the employee's performance covers a specific period;*
- b. explanatory comments when performance ratings are unsatisfactory or outstanding;*
- c. that each performance evaluation report is reviewed and signed by the rater's supervisor;*
- d. that the employee will be given the opportunity to sign and make written comments to supplement the completed performance evaluation report;*
- e. that a copy of the completed evaluation report be provided to the employee;*
- f. an appeal process for contested evaluation reports; and*
- g. retention of performance evaluation reports.*

**Commentary:** Evaluation reports may be regular periodic reports or interim reports for varying reasons. The actual dates covered by the evaluation, shown on the face of the report, are required to provide a continuity of the record of performance during a specified period. Performance of the employee prior to or following the rating period should be excluded from the rating for that period. Raters

should be prepared to substantiate ratings in the lowest or highest categories and give specific reasons for the ratings through a narrative comment.

Each evaluation report on an employee's performance should be read and understood by the employee. The signature should indicate only that the employee has read the report and should not imply agreement or disagreement with the contents. If the employee refuses to sign, the supervisor should so note and record the reason or reasons, if given.

The retention schedule should be consistent with applicable legislation or civil service regulations. Where these do not exist, a period of three years is recommended. (M M M M)

**35.1.6** *A written directive requires that non-probationary employees be advised in writing whenever their performance is deemed to be unsatisfactory and that the written notification be given to them at least 90 days prior to the end of the annual rating period.*

**Commentary:** The supervisor should be prepared to substantiate ratings at the unsatisfactory level, to advise the employee of unsatisfactory performance, and to define actions that should be taken to improve his or her performance. If unsatisfactory performance continues, this information should be included in the evaluation report at the end of the 90-day period. Some flexibility concerning the 90-day period is allowable if the spirit of the standard is observed. (M M M M)

**35.1.7** *A written directive requires that each employee be counseled at the conclusion of the rating period, to include the following areas:*

- a. *results of the performance evaluation just completed;*
- b. *level of performance expected, rating criteria or goals for the new reporting period; and*
- c. *career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.*

**Commentary:** The intent of this standard is to ensure that at least once each year, the immediate supervisor of each employee provides feedback regarding employee performance. It is critical that counseling of this type include both a review of performance over the prior rating period and, as a matter of fairness to the employee, an indication of the expectations for the upcoming reporting period. This is also an appropriate time to review the employee's career goals within the agency. However, nothing in this standard should be interpreted as requiring that these items be completed in one single session by the same supervisor. Agencies have flexibility in complying with this standard, and may, for example, conduct career counseling activities at a separate time by specialists in this area. (M M M M)

**35.1.8** *A written directive requires raters to be evaluated by their supervisors regarding the quality of ratings given employees.*

**Commentary:** Supervisors should evaluate raters regarding the fairness and impartiality of ratings given, their participation in counseling rated employees, and their ability to carry out the rater's role in the performance evaluation system. The supervisor should ensure that the raters apply ratings uniformly. (O O O O)

**35.1.9** *A written directive establishes a Personnel Early Warning System to identify agency employees who may require agency intervention efforts. The system shall include procedures for:*

- a. provisions to initiate a review based on current patterns of collected material;*
- b. agency reporting requirements of conduct and behavior;*
- c. documented annual evaluation of the system;*
- d. the role of first and second level supervision;*
- e. remedial action; and*
- f. some type of employee assistance such as a formal Employee Assistance Program, peer counseling, etc.*

**Commentary:** A comprehensive Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential problem employees and a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The agency's Personnel Early Warning System should be initiated when certain types of incidents occur and there should be an evaluation of collected material. Such material may include, but not necessarily be limited to: agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs, supervisory and employee reports such as workmen's compensation claims, and traffic accidents.

The agency should not be faced with investigating an employee for a serious case of misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention. The failure of the agency to develop a comprehensive Personnel Early Warning System can lead to the erosion of public confidence in the agency's ability to investigate itself, while putting the public and agency employees in greater risk of danger.

A Personnel Early Warning System should include options and reviews available through use of force reporting (Subchapter 1.3, Use of Force), the disciplinary system (Chapter 26, Disciplinary Procedures), employee assistance program (Chapter 22, Compensation, Benefits, and Conditions of Work) and Internal Affairs (Chapter 53, Internal Affairs).

The first and second levels of supervision are crucial elements to a successful Personnel Early Warning System and should be emphasized in the agency's procedures. (MMMM)

# 41

## PATROL

Standards in this chapter relate to the administration, operation, and equipment of the patrol function of a law enforcement agency.

The word “patrol” is used here in its broadest sense. It is considered to be a primary law enforcement function and embraces much more than the act of patrolling. It is defined as a generalized function in which officers may be engaged in a variety of activities which can range from traditional response to requests for service to alternate strategies for the delivery of police services.

### 41.1 Administration

**41.1.1** *The agency has a written directive which describes:*

- a. *provisions for continuous patrol coverage;*
- b. *assignment to patrol shifts;*
- c. *frequency of shift rotation, if any;*
- d. *assignment to service areas, if any;*
- e. *frequency of service area rotation, if any; and*
- f. *determination of days off.*

**Commentary:** This standard does not require 24-hour preventive patrol, nor does it limit the flexibility of the agency to assign personnel to community-based initiatives. Rather, the intent of this standard is to ensure that on-duty personnel are available to respond for police service or, at a minimum, includes provisions for concurrent jurisdictional coverage in the event that the agency cannot provide 24-hour coverage. As a consequence, a method for assigning available officers to shifts, service areas, and days off should be developed and followed consistently. A uniform procedure helps to ensure impartiality in the process. However, agency management should retain the final authority to assign officers to shifts and service areas in order to provide effective coverage, ensure accountability, and achieve organizational goals and objectives. (M M M M)

**41.1.2** *A written directive describes the agency’s method for shift briefing.*

**Commentary:** Shift briefing can accomplish the following basic tasks: briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations, potential and actual police hazards, changes in the status of wanted persons, stolen vehicles, major investigations, and information regarding relevant community-based initiatives; notifying officers of changes in schedules and assignments; and notifying officers of new directives or changes in directives. If officers do not report for

## PUBLIC INFORMATION

Standards in this chapter relate to the establishment and maintenance of public information. Agencies have an obligation to inform the public and news media of events that affect the lives of citizens in the community with openness and candor.

To convey information, agencies often rely on the news media. Policies should be developed that govern what information should be released, when it should be released, and by whom it should be released. In large jurisdictions where media contacts are frequent and often of a sensitive nature, a full-time public information officer (PIO) may be needed to coordinate activities. Where the community served is small and media contacts infrequent, the assignment of the function to an individual as a part-time responsibility may suffice. Agencies should consider procedures for involving the media in the development of policies affecting the news media, and for determining when a public information officer should respond to the scene of a crime or other event.

A state-level agency must comply with those public information standards that are consistent with its mission. A state agency is not expected to perform public information activities that would interfere with those provided by local agencies. State agencies may wish to consult CALEA staff about the applicability of these standards to their operations.

### 54.1 Public Information

**54.1.1** *The public information function shall include, at a minimum:*

- a. assisting media personnel in covering news stories at the scenes of incidents;*
- b. preparing and distributing agency media releases;*
- c. arranging for, and assisting at media conferences;*
- d. coordinating and authorizing the release of information about victims, witnesses, and suspects;*
- e. coordinating and authorizing the release of information concerning confidential agency investigations and operations; and*
- f. developing procedures for releasing information when other public service agencies are involved in a mutual effort.*

**Commentary:** The intent of this standard is to establish agency accountability for the public information function in writing. The function should be developed and operated to effectively meet the agency's needs. Placement of the function within the organizational structure is also addressed by standard

11.1.1. Proving compliance with this standard may be accomplished through a series of documents or a single, all inclusive directive.

The directive should also identify those within the agency authorized to make releases when the CEO/PIO is not available. All information released should be reported to the CEO/PIO as soon as practical.

Another intent of the standard is to provide specific guidance to personnel regarding the release of information about the prior criminal record, character, or reputation of the accused; mug shots of the accused; the existence of any confession, admission of guilt, or statement made by the accused or the failure or refusal by the accused to make a statement; the results of any examinations or tests conducted or refusal by the accused to submit to any examinations or tests; the identity, testimony, or credibility of any prospective witness; any opinion of agency personnel regarding the guilt or innocence of the accused; any opinion of agency personnel regarding the merits of the case or quality of evidence gathered; personal information identifying the victim; information identifying juveniles; and information received from other law enforcement agencies without their concurrence in releasing that information.

“Other service agencies” is meant to refer to all public service agencies, e.g., fire departments, coroners’ offices, and other outside agencies. Where more than one agency is involved, the agency having primary jurisdiction should be responsible for releasing, or coordinating the release of, information. (O O O O)

**54.1.2** *The agency involves the media in the development of changes in policies and procedures relating to the public information function.*

**Commentary:** By allowing media representatives to participate in the process of developing policies and procedures relating to the public information function, agencies can receive input that should lead to more effective working relationships between agency and media personnel. (O O O O)

**54.1.3** *A written directive controls media access at locations where such access would interfere with law enforcement operations.*

**Commentary:** The guidelines for media access should be communicated to the media to help ensure their cooperation. The following standard should be referenced when writing the directive(s): 46.1.3(f). (M M M M)



## VICTIM/WITNESS ASSISTANCE

The principal justification for the standards in this chapter is that they are integral to sound law enforcement. For example, compliance with these standards can enhance an agency's ability to make quality arrests including those that survive to plea or trial. Research findings over time and across jurisdictions consistently indicate that a major cause of case attrition after arrest, but before plea or trial, is witness related problems. Similarly, research suggests that the probability of conviction increases markedly as the number of cooperative witnesses increases. If victims and other witnesses (see Glossary for definitions) are subjected to what they consider poor treatment, they can be expected to offer something less than wholehearted cooperation with law enforcement agencies, which can have a devastating effect on investigations and subsequent prosecutions, if any.

Writing for a National Sheriffs' Association publication, the chair of the President's Task Force on Victims of Crime (1982), former Assistant Attorney General Lois H. Herrington made the following point: "In a free society, we are absolutely dependent upon the aid of these victims to hold the criminal accountable. In return the victim deserves support and fair treatment. As often the first to arrive on the scene of the crime, the (officer) is the initial source of protection for the victim. The manner in which (the officer) treats a victim at the time of the crime and afterwards affects not only (the victim's) immediate and long-term ability to cope with the crime, it can determine his (or her) willingness to assist in prosecution."

In its own best interests, law enforcement has a role to play in victim/witness assistance, a role that no other component of the criminal justice system can effectively duplicate e.g., victim/witness assistance activities of prosecutors' offices usually affect only witnesses of cases that have been accepted for prosecution.

The review described in standard 55.1.2 is designed to identify appropriate victim/witness services that the agency can provide without duplicating services offered elsewhere in the community, whether by another government agency or by a private-sector organization. Standard 55.1.3 depends in large part, on the results of the review noted in standard 55.1.2. Standards in subsection 55.2 address primarily victim/witness services offered prior to preliminary investigation, during preliminary and follow-up investigations, and following arrest of the suspect.

State-level agencies and those with similar jurisdictional or mission characteristics must comply with victim/witness assistance standards that are in accord with their respective missions. Such agencies are not required to perform activities that would interfere with local victim/witness assistance efforts but may assist local departments as deemed

appropriate. State-level and similar agencies may wish to consult with CALEA staff about the applicability of these standards to their operations.

The standards in this chapter are designed to ensure that victims and other witnesses receive professional handling consistent with their important investigative and prosecutory role.

More importantly, agencies must make every reasonable effort to assure that the personal rights and safety of the victim or witness are protected by its actions. Agency members should be particularly sensitive to the special needs of the victims and families of crimes such as domestic violence, child abuse, sexual assault, and abuse of the elderly because of their effect on the delicate structure of the family unit and the community in general.

## **55.1 Administration**

**55.1.1** *A written directive summarizes the rights of victims and witnesses.*

**Commentary:** State victim bill-of-rights legislation or similar statutes may serve as a written directive if distributed to all employees. (M M M M)

**55.1.2** *The agency completes a documented review of victim/witness assistance needs and available services within the agency's service area at least once every three years.*

**Commentary:** What are the needs of victims and other witnesses? How are those needs being met by other government agencies and by community organizations? What needs remain unfulfilled? Of those, which ones are appropriate for the agency to meet? Those are the major questions raised by the standard. Answers to those questions should ultimately result in a list of victim/witness services that the agency can provide without duplicating the efforts of other victim/witness services in the jurisdiction. At a minimum, such services would include only those that first responders can provide effectively, those that the agency is in a unique position to provide between first response and the time when (and if) the case is accepted for prosecution. Surveys by small agencies may be little more than the application of conventional wisdom inasmuch as those agencies are usually in close touch with residents of their jurisdictions.

To the extent that another organization's survey of victim/witness needs conforms to this standard, the agency may adopt that survey in whole or in part as its own. (N/A O O O)

**55.1.3** *A written directive describes the agency's role in victim/witness assistance, to include:*

- a. the implementation and delivery of victim/witness assistance services by agency personnel;*
- b. the confidentiality of victims/witnesses and their role in case development to the extent consistent with applicable law;*
- c. agency efforts to inform the public and media about the agency's victim/witness assistance services; and*

- d. *the relationship between the agency and victim/witness efforts of other agencies and organizations.*

**Commentary:** The purpose for relationships with outside sources of victim/witness assistance is at least twofold: to ensure that agency referrals of victims/witnesses to outside sources are based on accurate and up-to-date knowledge of the services offered by those sources; and to maintain an ongoing channel of communication by which to offer and receive suggestions about how agency and outside sources can more effectively work together in order to better serve the victim/witness. This relationship may be initiated by letter, phone call, or in person. (O O O O)

## 55.2 Operations

**55.2.1** *The agency makes the following victim/witness assistance information available 24 hours a day from a single point of contact:*

- a. *information regarding victim/witness assistance supplied by the agency directly; and*
- b. *referral information regarding services offered in the agency's jurisdiction by other organizations (governmental or private sector) for victims/witnesses.*

**Commentary:** The “single point of contact” could be a phone number connecting the caller to a recording or to a specific position (such as dispatcher—see standard 81.2.7) staffed 24 hours a day. A single point of contact could provide the information noted in bullet (a) and a second single point of contact supply the information described in bullet (b), or a single point of contact could provide both bullet (a) and bullet (b) information.

Regarding state law enforcement and certain other agencies, multiple points of contact may be required because of the decentralized nature of those agencies and the large geographical areas involved. Victim/witness assistance information may be supplied in cooperation with other agencies, such as by a multiagency dispatch center. (O O O O)

**55.2.2** *The agency provides appropriate assistance to victims/witnesses who have been threatened or who, in the judgment of the agency, express specific, credible reasons for fearing intimidation or further victimization.*

**Commentary:** What constitutes “appropriate assistance” is a judgment call by the agency. This is determined by the nature of the case and by the resources available to the agency and if possible, is commensurate with the danger faced by the victim/witness. “Appropriate assistance” may range from placing a victim in protective custody, such as might be offered by the agency itself or the appropriate prosecutor’s office, to offering a frightened witness words of encouragement.

When physical protection is a consideration, the agency is not obligated by this standard to provide it when the victim/witness is not physically present within the agency’s jurisdiction. If the agency becomes aware of danger to a victim/witness, the agency should promptly attempt to contact and alert the victim/witness; when the victim/witness is in another jurisdiction, the agency should also contact the appropriate agency and inform it of the situation and request that reasonable precautions be taken.

(M M M M)

**55.2.3** *A written directive defines victim/witness assistance services to be rendered during the preliminary investigation to include, at a minimum:*

- a. giving information to the victim/witness about applicable services, e.g., counseling, medical attention, compensation programs or emergency financial assistance, and victim advocacy;*
- b. advising the victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her;*
- c. informing victims/witnesses about the case number, if known by the agency, and subsequent steps in the processing of the case; and*
- d. providing a telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case.*

**Commentary:** Regarding “preliminary investigation,” see standard 42.2.1. Much of the information for the victim/witness can be on a card that the patrol officer or investigator gives to the victim/witness. The “status of the case” means open, suspended, or closed (see standard 42.1.3). (M M M M)

**55.2.4** *A written directive defines victim/witness assistance services to be provided during the follow-up investigation, if any, to include, at a minimum:*

- a. recontacting the victim/witness periodically to determine whether needs are being met, if in the opinion of the agency, the impact of a crime on a victim/witness has been unusually severe and has triggered above-average need for victim/witness assistance;*
- b. explaining to victims/witnesses the procedures involved in the prosecution of their cases and their role in those procedures, if not an endangerment to the successful prosecution of the case;*
- c. scheduling line-ups, interviews, and other required appearances at the convenience of the victim/witness and, at the option of the agency, providing transportation, if feasible;*
- d. returning promptly victim/witness property taken as evidence (except for contraband, disputed property, and weapons used in the course of the crime), where permitted by law or rules of evidence if feasible; and*
- e. assigning a victim advocate, if available, to the victim/witness during follow-up investigation.*

**Commentary:** Regarding “follow-up investigation,” see standard 42.2.2. The significance of the “if” clauses is that the agency is expected to make a good-faith effort to provide the bulleted services. Deletion of the “if clauses” would make this standard unattainable for many agencies inasmuch as compliance depends on many factors that vary substantially from case to case and from agency to agency.

Regarding bullet (a), the agency should consider recontacting victims/witnesses within ten days of the follow-up investigation’s initiation. The explanation called for by bullet (b) may be printed on cards given to victims/witnesses and is intended to orient them and relieve their possible anxiety about their continued involvement in their cases. The feasibility of providing the assistance noted in bullet (c) may vary from case to case and should depend, in large part, on the physical, financial, and emotional state of the

victim/witness as well as on resources available to the agency. Bullet (d) is related to standard 84.1.7 but seeks to encourage a quicker return of property than specified in standard 84.1.7. (M M M M)

**55.2.5** *A written directive defines victim/witness assistance services to be rendered upon arrest and during post-arrest processing of the suspect.*

**Commentary:** Among the services that agencies should consider providing is notification of the victim/witness of the arrest, the charges and the arrestee's custody status and changes thereto. In many jurisdictions, such notification is frequently impossible because of the overwhelming volume of arrests. In some instances such notification may unavoidably, not be timely—such as when suspects are apprehended elsewhere and perhaps released on bond well before the agency in the jurisdiction where the crime occurred is even informed of the arrest. (O O O O)

**55.2.6** *A written directive establishes procedures for notifying next-of-kin of deceased, seriously injured, or seriously ill persons.*

**Commentary:** The procedures should ensure that notifications are carried out promptly and in a considerate manner. Whenever possible, assistance should be obtained from the clergy, relative, or close friend. Procedures should also address notification requests initiated by other agencies. The agency may cover notifications for accident and non-accident situations in the same directive. (M M M M)

# 61

## TRAFFIC

Standards in this chapter govern the processes and procedures that enable the agency to execute its traffic related responsibilities and services.

Support activities include data collection and analysis, formulation of policy and procedures, development of effective enforcement techniques, program planning, personnel allocation and utilization, and program evaluation.

Depending upon the organization of the traffic function and the degree of specialization within it, responsibilities for particular functions may be assigned to the patrol or other specialized function.

The agency's activities are specifically directed toward reducing violations through preventive patrol and active enforcement. The standards also govern relationships with motorists, pedestrians, courts, and prosecutors.

Agency activities connected with, or related to traffic collision, include providing emergency assistance to the injured, protecting the collision scene, conducting on scene and follow-up investigations, preparing reports, and taking proper enforcement action relative to the incident.

Activities undertaken by the agency that directly affect the movement and control of vehicles and pedestrians include point traffic control, traffic engineering, school crossing supervision, and other activities related to the design and implementation of plans and programs that expedite the movement of vehicles and pedestrians.

While some agencies perform their own traffic engineering with trained personnel, most agencies have a liaison and data-sharing relationship with a local, regional, or state engineer. Close coordination and cooperation are essential to the maintenance of a safe and efficient highway system.

Lastly, the agency may perform a variety of diverse, traffic-related services including providing general assistance, emergency assistance, public information, and directions; identifying and reporting roadway and roadside hazards; checking abandoned vehicles; and locating and recovering stolen vehicles.

## 61.1 Traffic Enforcement

**61.1.1** *A written directive governs the agency's selective traffic enforcement activities, to include procedures for:*

- a. compilation and review of traffic collision data;*
- b. compilation and review of traffic enforcement activities data;*
- c. comparison of collision data and enforcement activities data;*
- d. implementation of selective enforcement techniques and procedures;*
- e. deployment of traffic enforcement personnel; and*
- f. evaluation of selective traffic enforcement activities.*

**Commentary:** The ultimate goal of selective traffic law enforcement is to reduce traffic collision. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. The techniques used should be based on collision data, enforcement activity records, traffic volume, and traffic conditions. The objective is to direct appropriate enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations but also in terms of traffic-related needs identified in the agency's service community.

The review of location, time, and violation factors in vehicle collision should be based upon a numerically significant sample. It is also essential to analyze fluctuations caused by seasonal variations that result in increases in traffic volume and/or collision. In rural or suburban areas, basing these studies on an annual collision experience may be necessary to provide a sufficient database. However, as traffic densities and collision rates increase, a more frequent reporting cycle should be considered.

Supervisors responsible for traffic enforcement activities should be provided with copies of the analysis report. (N/A O M M)

**61.1.2** *A written directive establishes uniform procedures for taking enforcement action incidental to traffic law violations, to include:*

- a. physical arrest;*
- b. citation (notice to appear); and*
- c. warnings (if used).*

**Commentary:** The directive should establish guidelines to ensure that enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. Warnings, written or verbal, or other nonpunitive enforcement actions should be substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations. The directive should discourage emphasis on quantitative enforcement activities, such as ticket quotas, and acknowledge that both qualitative and quantitative emphases are integral to the agency's traffic enforcement program. (M M M M)

**61.1.3** *A written directive establishes procedures for handling traffic law violations committed by:*

- a. nonresidents of the agency's service area;*
- b. juveniles;*
- c. legislators;*
- d. foreign diplomats/consular officials; and*
- e. military personnel.*

**Commentary:** The written directive should address all special processing requirements, e.g., diplomatic or legislative immunity, or procedures that apply to traffic law violations committed by the classes of persons enumerated above and any others that require special processing by virtue of local mandate. (M M M M)

**61.1.4** *At the time a motorist is charged with a violation, the agency provides information relative to the specific charge, to include:*

- a. court appearance schedule;*
- b. optional or mandatory nature of court appearance by the motorist;*
- c. notice of whether the motorist is allowed to enter a plea and/or pay the fine by mail or at a traffic violations bureau; and*
- d. other information that must be provided to the motorist prior to release.*

**Commentary:** It is essential that officers fully explain the rights and requirements imposed on motorists upon arrest or issuance of a citation for a traffic violation. An informational pamphlet explaining the motorist's rights and responsibilities issued with the citation can augment the information provided verbally by the officer. (M M M M)

**61.1.5** *A written directive establishes uniform enforcement policies for traffic law violations, to include:*

- a. operation of a vehicle by a driver under the influence of alcohol/drugs;*
- b. operation of a vehicle after driving privileges have been suspended or revoked;*
- c. speed violations;*
- d. hazardous violations;*
- e. off-road vehicle violations;*
- f. equipment violations;*
- g. public carrier/commercial vehicle violations;*
- h. non-hazardous violations;*
- i. multiple violations;*
- j. newly enacted laws and/or regulations;*
- k. violations resulting in traffic collisions; and*
- l. pedestrian and bicycle violations.*

**Commentary:** The intent of this directive is to provide guidelines for uniform traffic law enforcement actions. Uniform enforcement supports the ultimate aim of traffic law enforcement, which is to achieve



voluntary compliance with traffic laws and regulations. The policy cannot and should not supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer should decide what enforcement, if any, is appropriate on the basis of a combination of training, experience, and common sense (see standard 1.2.7 regarding officer discretion). (M M M M)

**61.1.6** *A written directive governs traffic law enforcement practices, to include:*

- a. *visible traffic patrol, whether area, line, or directed;*
- b. *stationary observation, covert and overt;*
- c. *use of unmarked or unconventional vehicles; and*
- d. *use of roadside safety checks.*

**Commentary:** The intent of this standard is to have the agency set parameters for how traffic law enforcement activities are to be conducted, not to establish selective enforcement assignments (see standard 61.1.1, selective enforcement). The traffic law enforcement practices of the agency should foster trust in the agency's enforcement practices, while increasing voluntary compliance by motorists and pedestrians.

Area traffic patrol assignments may be included within existing patrol beats, or special geographic boundaries may be established for the purpose of increasing visibility or enforcement activities. Line patrol involves linear boundaries, as between specific mileposts on a highway. Directed patrol includes assignments or requests for increased traffic patrol coverage, coming from supervision or the communications center during the shift. This does not include pre-determined selective enforcement activities.

The use of unmarked or unconventional vehicles for traffic enforcement may cause the agency to develop special procedures for traffic stops, especially if there have been recent instances of persons impersonating police officers.

Roadside safety checks are accepted more readily by the public when conducted by the agency in a manner that improves rather than exacerbates normal traffic flow. (O O O O)

**61.1.7** *A written directive establishes procedures for motorist stops, to include:*

- a. *traffic law violators;*
- b. *unknown risk stops; and*
- c. *high risk stops.*

**Commentary:** Although enforcing traffic laws is one of the more basic functions that law enforcement officers perform, all too frequently officers are injured or killed in the process. Therefore, the agency should provide detailed instructions to officers on procedures for making contact with offending motorists, methods for making effective stops that are safe for the officer and the motorist, approach procedures, and responsibilities for calling in traffic stop information. The instructions should cover all potential situations from basic motorist stops to high-risk stops. (M M M M)

**61.1.8** *A written directive establishes procedures for officers to follow in their contacts with traffic violators.*

**Commentary:** The purpose of this directive is to provide guidelines to ensure that officers take proper enforcement action and attempt to alter favorably the violator's future driving habits. The procedures should minimize conflict between the officer and the violator, and facilitate a professional interaction. (O O O O)

**61.1.9** *A written directive governs the use of speed measuring devices in traffic law enforcement, to include:*

- a. equipment specifications;*
- b. operational procedures;*
- c. proper care and upkeep;*
- d. maintenance and calibration records; and*
- e. operator training and/or certification.*

**Commentary:** The directive should include guidelines to ensure that traffic safety and energy conservation goals and objectives are met. The agency should ensure that officers utilizing speed measuring devices (radar, VASCAR, speedometer, stopwatch, etc.) are fully trained before they are authorized to use such devices for traffic law enforcement. Operators may be required to demonstrate their competence with each device under varying conditions in supervised field performance tests. The training and equipment standards should be equivalent to the model standards promulgated by the National Highway Traffic Safety Administration. (O O O O)

**61.1.10** *A written directive establishes the agency's enforcement countermeasure programs against alcohol and drug impaired traffic offenders.*

**Commentary:** The primary objective of the program should be to reduce alcohol and/or drug related traffic offenses by fielding units that are specially trained and equipped to apprehend and process alcohol or drug impaired drivers. Special emphasis should be placed on enforcement of laws related to driving while intoxicated and other statutes restricting drinking and driving. Training should be provided to develop officer skills in detecting those persons who are under the influence of alcohol or drugs.

The agency should consider using the following countermeasures in various combinations in their selective alcohol enforcement program: selective assignment of personnel at the time when, and to the locations where analyses have shown that a significant number of violations and/or collision involving impaired drivers have occurred; selective surveillance of roadways on which there have been an unusual incidence of drinking-driving collisions to ascertain the characteristic violation profile of the problem drinker who drives; selected alcohol related collision investigations and analyses of findings; selective roadway checks for deterrence purposes; and selective enforcement of drinking driving laws through concentration on existing laws and the expeditious processing of violators. (N/A O M M)

**61.1.11** *A written directive establishes procedures for handling persons charged with driving while under the influence of alcohol or drugs.*

**Commentary:** The arrest of a person for driving while intoxicated differs significantly from the handling of other traffic law violations. In most jurisdictions for instance, implied consent statutes and legislation that defines intoxication in terms of blood alcohol levels have been enacted. These statutes include many provisions affecting an officer's authority. Therefore, detailed guidance should be provided to officers based on the pertinent legal requirements of the jurisdiction. Procedures should address the methods to be employed for proper administration of preliminary and evidentiary breath tests, safe transportation of impaired arrestees, procurement of blood and urine testing where governing statutes give the arrestee a choice of these tests in addition or as an alternative to a breath test, incarceration or release to a responsible third party, and disposition of the arrestee's vehicle. (M M M M)

**61.1.12** *A written directive establishes procedures for identification and referral of drivers recommended for reexamination by licensing authorities.*

**Commentary:** Routine enforcement, collision reporting, and investigation activities frequently lead to the discovery of drivers who have suspected incompetency, physical or mental disability, disease, or other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle. In addition to reports related to the action or incident for which the motorist was stopped, the actual or suspected impairments should also be brought to the attention of the state drivers licensing authority. (O O O O)

**61.1.13** *If parking enforcement is conducted by the agency, a written directive describes the agency's parking enforcement activities.*

**Commentary:** None. (M M M M)

## **61.2 Traffic Collision Investigation**

**61.2.1** *A written directive describes collision reporting and investigation, to include collisions involving:*

- a. *death or injury;*
- b. *property damage;*
- c. *hit and run;*
- d. *impairment due to alcohol or drugs;*
- e. *hazardous materials; and*
- f. *occurrences on private property.*

**Commentary:** The directive should establish procedures to ensure the agency's collision reporting and investigation responsibilities are efficiently and effectively carried out. The directive should also specify which collisions require investigation and which collisions require a report. (M M M M)

**61.2.2** *A written directive defines agency response to the scene of any collision involving any of the following:*

- a. *death or injury;*
- b. *hit and run;*

- c. *impairment of an operator due to alcohol or drugs;*
- d. *damage to public vehicles or property;*
- e. *hazardous materials;*
- f. *disturbances between principals;*
- g. *major traffic congestion as a result of the collision; or*
- h. *damage to vehicles to the extent towing is required.*

**Commentary:** Agency response to the scene of a serious or complex collision should include providing emergency services, investigating the collision, recording short-lived evidence, and restoring the normal flow of traffic. In less serious collisions, personnel response should be influenced by agency policy, workload, and availability of personnel. The directive should also specify the circumstances that permit the suspension of investigations—for example, during snow emergencies—and when drivers may report property damage-only collisions in person (at the nearest agency office) and/or by telephone. This policy should be communicated to motorists through the agency’s public information program.

(M M M M)

**61.2.3** *A written directive specifies collision scene responsibilities for responding officers, including procedures for:*

- a. *determining the officer or investigator who is in charge at the scene;*
- b. *identifying and dealing with injured persons;*
- c. *identifying and dealing with fire hazards and/or hazardous materials;*
- d. *collecting information;*
- e. *protecting the collision scene; and*
- f. *controlling property belonging to collision victims.*

**Commentary:** The intent of the standard is to provide procedural guidance to officers responding to collision scenes, who may be the first to arrive, as well as to establish a procedure by which the officer in charge or investigator in charge is determined (see standard 12.1.2). The first arriving officer has important responsibilities that include, but are not limited to providing basic or advanced life support until the arrival of fire/rescue personnel, identifying potential or actual fire hazards or other dangerous conditions so that appropriate action can be taken, summoning additional assistance, protecting the scene, establishing a safe traffic flow around the scene, identifying and interviewing witnesses, and expediting the removal of debris and the vehicles involved from the roadway.

Procedural guidance for hazardous material incidents is necessary to protect the officer and other highway users and to ensure the prompt control and removal of material. The procedures should specify what actions the officer can take to identify materials, protect the scene, isolate the immediate area, evacuate nonessential personnel, and obtain appropriate technical assistance. The law enforcement agency generally will be responsible for preliminary hazard identification, e.g., spill, leak, fire, and identification of vehicles and container placards. The directive should ensure that only properly trained and equipped agency personnel attempt to enter areas where hazardous materials may be encountered or suspected.

Procedures for determining who is in charge at the scene when more than one officer or investigator is present will ensure that all required tasks are accomplished. This is especially important in agencies where supervisory personnel do not routinely respond to collision scenes. A failure to carry out certain tasks in a timely manner could be a contributing factor to additional collision. The officer in charge at the scene of a collision should ensure that property belonging to collision victims is protected from theft or pilferage and is removed to a place of safekeeping if the owner is unable to care for it. The directive should provide guidelines for property inventory and indicate methods for property removal and storage. (M M M M)

**61.2.4** *A written directive establishes procedures for collision investigation follow-up activities.*

**Commentary:** Follow-up activities may include, at a minimum, collecting off-scene data, obtaining/recording formal statements from witnesses, reconstructing collisions, using expert and technical assistance, and preparing formal reports to support criminal charges. This standard is not intended to require all of these activities in every investigation; however, the directive should establish when and how these activities should be conducted. The agency may also conduct investigations to gather additional data about driver, pedestrian, vehicle, roadway controls, or related collision information for special research studies. (O O O O)

**61.3 Traffic Direction and Control**

**61.3.1** *A written directive governs performance of agency activities related to traffic engineering, to include:*

- a. *handling or referring complaints or suggestions concerning traffic engineering deficiencies; and*
- b. *procedures for transmitting collision and enforcement data to local or regional traffic engineering authorities.*

**Commentary:** Engineering functions should be conducted in conjunction with local traffic engineering authorities and should be directly related to the discovery and remedy of collision and congestion hazards. Guidance should be sought by the agency from whatever resource materials are available and applicable to its jurisdiction. The directive should describe the authority and responsibilities of agency personnel for collecting and compiling traffic data; conducting special traffic surveys and studies; analyzing collision and enforcement data; preparing special reports and making recommendations concerning the efficient use of traffic control devices, new or revised laws or ordinances, and engineering improvements; and participating in local and regional transportation system management planning.

The directive should establish procedures to ensure that proper action is taken to investigate complaints, evaluate suggestions, and correct deficiencies or refer them to proper authorities for correction. Traffic records call attention to changed conditions that require alteration in engineering or enforcement policies. The agency should provide copies of collision report forms and/or a monthly summary of collision and enforcement data to provide factual data necessary to make sound engineering decisions.

The occurrence of a serious collision should be brought to the attention of traffic and highway engineering authorities for analysis of potential corrective actions. (O O O O)

**61.3.2** *A written directive specifies procedures for traffic direction and control to include the following, at a minimum:*

- a. procedures applicable at the scenes of traffic collision;*
- b. uniform hand signals and gestures for manual traffic direction and control;*
- c. procedures applicable at the scenes of critical incidents;*
- d. procedures applicable during periods of adverse road and weather conditions;*
- e. circumstances warranting manual operation of traffic control devices;*
- f. use of temporary traffic control devices; and*
- g. a requirement that any personnel directing traffic, or in the roadway controlling traffic, wear reflective clothing at all times.*

**Commentary:** None. (M M M M)

**61.3.3** *A written directive governs provisions for:*

- a. law enforcement escort services; and*
- b. escorts of civilian vehicles in medical emergencies.*

**Commentary:** The directive should specify the circumstances, both routine and emergency, under which escort services should be provided; the procedures for processing routine or emergency requests for escort; and the identification of agency personnel authorized to approve such requests. The directive should include escort of public officials, dignitaries, emergency vehicles, funerals, oversize vehicles, and hazardous or unusual cargo. The agency should also establish procedures for ensuring the adequacy of private escort services for oversize vehicles and hazardous cargo carriers.

Escorting civilian vehicles under emergency circumstances is an extremely dangerous practice and should be avoided whenever possible. In medical emergencies, the patient should be transported by ambulance whenever possible. If escorts are authorized, the directive should establish guidelines to ensure the safety of the patient, the officer, and all other highway users. (M M M M)

**61.3.4** *If the agency uses adult school-crossing guards, a written directive specifies:*

- a. the adult school-crossing guards' authority and responsibilities;*
- b. selection criteria for the adult school-crossing guards;*
- c. the uniforms to be worn by the adult school-crossing guards;*
- d. criteria for locations requiring adult school-crossing guards; and*
- e. identification of the locations requiring adult school-crossing guards, based on an annual documented review.*

**Commentary:** The scope of school-crossing guards' responsibilities and duties should be clearly spelled out and understood by both officers and crossing guards. Selection criteria should be based on the knowledge, skills, and abilities required for job performance. School crossing-guards should be uniformed so that motorists and pedestrians can readily recognize them and respond to their signals. Their uniforms should be distinctly different from those worn by sworn personnel.

The following variables should be considered when determining the locations where school-crossing guards are needed: traffic volume/speed, number of turning movements, width of an intersection, physi-

cal terrain, existence or absence of traffic control devices, local legislative policy, and the number and age of children utilizing the crossing.

Regarding bullet (e), the annual review should be conducted in conjunction with traffic engineering and school authorities. The survey's data should form the basis for establishing school crossing points and school routes.

A uniform approach to school-area traffic controls should be developed to ensure the use of similar controls for similar situations, thus promoting uniform behavior on the part of drivers and pedestrians. (O O O O)

**61.3.5** *The agency assists school authorities in the student safety patrol program.*

**Commentary:** Student safety patrol activities should complement those of the school-crossing guards. Agency assistance in the organization, instruction, and supervision of student safety patrols should provide a degree of uniformity and improve program effectiveness. Student patrols should not be charged with the responsibility of directing vehicular traffic, nor should they be allowed to do so through the use of flags, hand signs, or other signal devices. (O O O O)

**61.3.6** *If there are criminal justice coordinating and/or local or regional transportation system management planning committees within the agency's jurisdiction, the agency participates in such committees.*

**Commentary:** None. (O O O O)

## **61.4 Ancillary Services**

**61.4.1** *A written directive governs the provision of assistance to highway users, to include:*

- a. general assistance;*
- b. mechanical assistance and towing service;*
- c. protection to stranded persons; and*
- d. emergency assistance.*

**Commentary:** The directive should set forth policies that describe the role of the agency in providing information and directions, assisting stranded or disabled motorists, providing or obtaining fuel, changing tires, making minor repairs, etc.

The highway user encountering mechanical or other difficulties necessitating assistance or towing generally must rely upon the officer to obtain needed services. The directives should establish procedures for obtaining services or other assistance in an equitable manner that satisfies the needs of the public, the law enforcement agency, and the providers of such services.

The agency has a responsibility to provide a communications link to obtain needed services for motorists and to provide protection for highway users stranded or disabled in hazardous locations or environments. The written directive should provide basic guidelines to ensure that help arrives in a timely fashion and that motorists are directed or actually transported to a place of safety.

The directive should describe the role of officers in providing first aid, obtaining medical assistance, fighting fires, obtaining fire service assistance, and transporting civilians. Agency personnel should have clear guidelines to ensure that fire suppression and emergency medical transport services are provided in a timely manner. (M M M M)

**61.4.2** *A written directive specifies procedures for taking action to correct hazardous highway conditions.*

**Commentary:** Roadway and roadside hazards are contributing factors in many traffic collisions. In order to mitigate these factors, the directive should specify procedures for reporting and correcting hazardous conditions such as debris in the roadway; defects in the roadway itself; lack of or defects in, highway safety features, e.g., impact attenuation devices, reflectors; lack of, improper, visually obstructed, or down or damaged mechanical traffic control devices and/or traffic control and informational signs; lack of or defective roadway lighting systems; and other roadside hazards, including vehicles parked or abandoned on or near the roadway. (M M M M)

**61.4.3** *A written directive specifies procedures for the following:*

- a. *handling of abandoned vehicles;*
- b. *removal and towing of vehicles from public and private property; and*
- c. *maintaining records of all vehicles removed, stored, or towed at the direction of an officer.*

**Commentary:** The directive should define the circumstances under which vehicles are considered abandoned and when and how they are to be removed.

Procedures are needed for removal or towing of vehicles that are illegally stopped, standing, or parked; stolen or abandoned; and/or in the agency's custody. In addition, the directive should establish procedures to notify the registered owner of the removal or tow and to afford the owner the opportunity for a hearing to determine the legality of such removal or tow.

Whenever a vehicle is removed or towed at the direction of an officer, a written record should be made of the time, date, location, requesting officer, reason for removal or tow, charges pending, towing service, location of the vehicle, and notification or attempted notification of the registered owner. (M M M M)

**61.4.4** *Traffic safety educational materials are made available to the public.*

**Commentary:** The ultimate goal of enforcement officials is to achieve voluntary compliance with traffic laws and regulations. Preparation and dissemination of traffic safety educational materials support enforcement efforts and enhance public understanding of traffic safety programs. (O O O O)



## DETAINEE TRANSPORTATION

Transportation by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity. Standards in this chapter concern those directives that should exist pertaining to the transport function. Two general time periods are involved. The first is immediately after arrest, when the arrestee is taken by the arresting officer for booking and holding or transfer to another facility. The second concerns the movement of detainees from the detention facility, such as a county jail, to a hospital, doctor, dentist, or other medical facility; to court; to attend a funeral or visit a seriously ill relative; and for other reasons. Agencies should review their policy and procedures covering all types of detainee transportation.

As law enforcement personnel perform detainee transport, they should be prepared to provide for the safety and security of the detainee, the transporting personnel, and the public. Written directives are the key in each instance. These directives form the guidelines that must be followed when agency personnel conduct the detainee transport function.

Larger agencies may be organized to effect detainee transport with specially constructed buses and specially trained personnel; smaller agencies may perform the transport function as part of their patrol activities. In any case, there are basic requirements to ensure safety and security for detainees, transporting personnel, and the general public. The standards should be addressed in accord with the agency's responsibilities for transporting detainees.

While standards in this chapter may use the word "officer," it is recognized some agencies utilize non-sworn personnel for detainee transportation.

### 70.1 Transport Operations

**70.1.1** *A written directive requires the transporting officer to search the detainee before being transported.*

**Commentary:** The transporting officer is legally responsible for the safety and custody of the detainee being transported. It must be assumed that the detainee may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the detainee. Detainees should be searched each time they come into the transporting officer's custody, including transport to and from court appearances.

The directive should clearly define agency policy on the types of searches that may be conducted, describe when and where they may be conducted, and provide strict procedures on how and by whom

each type of authorized search may be performed. Exceptions if allowed, should be listed. If conducted, strict guidelines on “strip” searches and/or “body-cavity” searches should be established and included in this directive (see standard 1.2.8). (M M M M)

**70.1.2** *A written directive requires examination at the beginning of each shift of all vehicles used for transporting detainees and the search of any transport vehicles prior to and after transporting detainees.*

**Commentary:** The intent of this standard is to ensure that any vehicle used to transport a detainee is free of weapons and contraband before and after the detainee comes in contact with the vehicle. An examination before beginning each shift will ensure the vehicle has not been tampered with since last used, is free of weapons and contraband, is mechanically safe, is free of damage or defect, and is properly equipped for use.

Each time a detainee is to be transported, the vehicle should be examined to ensure that no weapons or contraband are present. Some latitude may be allowed where an officer has been in constant control of the vehicle following the pre-shift examination and the introduction of the detainee to the vehicle; however, most vehicles will not have been under constant observation and officers should not assume that no opportunity has existed for the introduction of weapons, contraband, or other items.

Once a detainee has been removed from the vehicle, a thorough search should be conducted as soon as practical, but, in all cases, before the vehicle is reused. This will not only ensure that the detainee has left nothing in the vehicle, but if items are found, link them in a timely manner to the detainee.

In special transport situations, it is the transporting officer’s responsibility to ensure that the vehicle is safe and equipped with appropriate items; for example, spare tire, jack, lug wrench, and safety flares. The condition of the vehicle itself should be examined, including proper inflation of tires, fuel and oil levels, ignition system, and engine operation. The transporting officer should have proper forms or credit cards for procurement of gasoline, as well as all detainee-related documentation required by standard 70.5.1. (M M M M)

**70.1.3** *A written directive requires that transporting officers in vehicles without safety barriers be seated in specific locations within the vehicle, depending upon the number of detainees to be transported and the number of transporting officers used.*

**Commentary:** For safety reasons, the detainee should be under control at all times. Opportunities for escape or attack on transporting officers should be reduced as much as possible. The detainee should be made as comfortable as reasonably possible, given the length of the trip being made, and should be secured to the maximum degree with appropriate restraining devices (see standard 70.2.1). (M M M M)

**70.1.4** *A written directive establishes under what conditions an officer may interrupt a detainee transport for necessary stops and/or to render emergency assistance.*

**Commentary:** The primary duty of the transporting officer is the safe delivery of the detainee in his or her care. This directive should stipulate circumstances under which the transporting officer can stop to

respond to the need for law enforcement services while transporting a detainee, if allowed. However, the directive should caution that diversionary incidents, whether or not instigated by persons attempting to free the detainee, may divert the transport officer and place the detainee in jeopardy or enhance chances for escape. General principles of tort law impose a duty of care on the transporting officer to protect the detainee from injury. Only when the risk to third parties is both clear and grave and the risk to the detainee is minimal should the officer stop to render assistance.

During long distance transports, care should be taken when stopping for fuel and meals or for allowing the detainees reasonable opportunities to use toilet facilities. Locations should be alternated and randomly selected. Normally, no stops will be made while transporting from the point of arrest to the booking/processing location (see standard 70.2.1). (M M M M)

**70.1.5** *A written directive prescribes circumstances under which the detainee may communicate with others while being transported.*

**Commentary:** Safety aspects of the transport function require that the detainee's right to communicate with attorneys and others will not normally be exercised during the period that the detainee is being transported. (M M M M)

**70.1.6** *A written directive prescribes actions at the destination of employees transporting detainees to a facility to include, at a minimum:*

- a. *securing firearms for safekeeping;*
- b. *when to remove restraints from the transported detainee;*
- c. *delivering documentation to the receiving personnel;*
- d. *advising receiving agency personnel of any potential medical or security risks; and*
- e. *documentation confirming the transfer of custody.*

**Commentary:** Procedures for the release or transfer of detainee medical information should address the need to comply with controlling legislation. In lieu of a written receipt, the employee may document the transfer of the detainee in a written report to include the receiving official's name. (M M M M)

**70.1.7** *Following an escape of a detainee while being transported, the transporting officer takes actions prescribed by a written directive to include, at a minimum, the following:*

- a. *persons to be notified;*
- b. *reports to be prepared; and*
- c. *further actions to be taken.*

**Commentary:** If the escape occurs in another jurisdiction, the authority of the escort officer to take action in recovering the detainee will depend upon the powers officers have in that jurisdiction. Depending upon the state, these will include peace officer powers anywhere within the state, within a mutual aid area, or only within the specific jurisdiction served by the officer. (M M M M)

**70.1.8** *A written directive requires that the agency notify the appropriate agency or court when a detainee to be transported to another agency or court is considered an unusual security risk.*

**Commentary:** In such cases, the receiving agency may take additional security steps or the judge may allow or direct the use of restraining devices in the court and may request the assignment of additional officers for security while at the court. (M M M M)

## 70.2 Restraining Devices

**70.2.1** *A written directive describes restraining devices and methods to be used during detainee transports with exceptions noted.*

**Commentary:** It is necessary for officers to know when and how detainees are to be restrained and when, where, and how particular restraining devices are to be employed, including special and prohibited methods (see standard 41.3.3). Agencies should be aware that some techniques have been found to contribute to serious physical injury or death, e.g., “positional asphyxia” and should be prohibited. For example, in transporting more than one detainee, should each be handcuffed with hands in front and arms intertwining or may a detainee be handcuffed to any part of the vehicle? The directive should also take into account circumstances under which the detainee is to be transported by vehicle over a period of several hours.

It should not be assumed that restraining devices are unnecessary for disabled detainees. A detainee in a wheelchair or one who uses walking aids may not require the use of restraining devices in all instances. Restraining devices also may be harmful to sick or injured detainees, depending upon the nature of the sickness or injury. The written directive in both situations should be specific in defining circumstances when restraining devices would and would not be necessary and the extent of the officer’s discretion in their application.

Mentally disabled detainees may pose a significant threat to themselves and/or the transporting officers. The selected device should restrain the detainee securely without causing injury. These devices should be required whenever practical but should not preclude the use of handcuffs in emergency situations. The types of restraints used should be indicated on the transfer document. (M M M M)

## 70.3 Special Transport Situations

**70.3.1** *A written directive prescribes procedures for transporting sick, injured, or disabled detainees.*

**Commentary:** If a detainee becomes sick or is injured incidental to arrest, the arresting officer should seek medical attention at that time, if at all possible. If the detainee is not provided care in a medical facility or is not transported to a medical facility initially but is taken to the booking point, the directive should define the actions to be taken at that time for providing medical attention to the detainee.

Physically and mentally disabled detainees present conditions for their transport that dictate special care and attention. For example, the type of vehicle used would be a consideration when transporting nonambulatory detainees or those requiring wheelchairs, crutches, or prosthetic appliances. It may be necessary to transport medicine and other special items for certain detainees during transport. The safety of the detainee and the transporting officer requires due care when transporting disabled detainees. (M M M M)

**70.3.2** *A written directive establishes procedures for the security and control of detainees transported to medical care facilities or hospitals for treatment, examination, or admission.*

**Commentary:** Detainees who are taken for immediate treatment should be closely monitored. Opportunities for escape, suicide, and assault on hospital personnel or the transporting officer should be guarded against and will be more prevalent if the detainee is unrestrained and/or out of sight. If restraints should be removed for treatment, caution should be exercised while the detainee is unfettered. Only under unusual circumstances will the detainee be allowed out of the transporting officer's sight.

If the detainee is admitted to the hospital, the agency may need to provide additional security. Some measures to consider are the type and period of treatment, degree of risk, isolation, 24-hour coverage, continued use of restraints, meals and utensils, monitoring all personal contacts with the detainee, etc. Visitors should be prohibited, including telephone contact with the detainee.

Officers assigned to guard the detainee should be cautioned not to become lax while performing their duty. Long tedious hours, with little activity, easily lead to complacency and carelessness. Officers should also avoid fraternizing with the detainee at any time. Any unusual occurrence should be recorded. Frequent rotation of guards and close supervision by superiors is recommended.

When released from treatment, the detainee's condition should be carefully recorded. All instructions for future treatment and medication should be obtained in writing and signed by the attending physician. Before moving, the detainee should be searched and restrained (see standards 70.1.1 and 70.2.1).  
(M M M M)

**70.3.3** *A written directive prescribes procedures for transporting detainees in special situations.*

**Commentary:** The unusual circumstances surrounding such situations as attending funerals, visiting hospitals and critically ill persons, or attending the reading of a will provide extraordinary opportunities to a detainee for unauthorized personal contact, escape, or inflicting injury on himself or others. Therefore, special precautions and security measures should be stipulated and employed. (M M M M)

## **70.4 Transport Equipment**

**70.4.1** *Vehicles used primarily for transporting detainees must have the driver separated from the detainee by a safety barrier.*

**Commentary:** The safety barrier prevents the detainee from having access to the driver's compartment of the vehicle. Communication between the front and rear compartments should not be impaired to the point that precludes conversation. Installation of such a barrier should be done in a manner that promotes the safety of occupants in the front and rear compartments. (M M M M) **Compliance may be OBSERVED.**

**70.4.2** *If detainees are routinely transported alone in the rear of agency vehicles, the rear compartments are modified to minimize opportunities for exit without the aid of the transporting officer.*

**Commentary:** Cages, safety barriers, deactivating power to windows and/or removal of window cranks and door handles from the rear compartment are modifications that should be considered by the agency to minimize unauthorized exit from the vehicle. The agency may also have a written directive that requires a secondary officer to be seated with the detainee if and when there are no physical barriers to minimize unauthorized exit (see standard 70.1.3). **(M M M M) Compliance may be OBSERVED.**

## **70.5 Documentation**

**70.5.1** *A written directive prescribes the following for detainees transported from one facility to another:*

- a. methods to be used in positive identification of detainees to be transported;*
- b. documentation that should accompany the detainee being transported between facilities; and*
- c. information relating to the detainee's escape or suicide potential or other personal traits of a security nature be recorded and included in the documentation that accompanies the detainee during transport.*

**Commentary:** Each detainee being transported from a detention facility should be positively identified as the person who is to be moved. Booking records and numbers assigned to the detainee in the detention facility should be verified and the person concerned confirmed as the person described in the records.

If the detainee is to be transported to court, such information would include the detainee's name, facility detainee number, and court to which the detainee is to be delivered. When transporting a detainee to another facility, the documentation should include commitment papers and the detainee's medical records and personal property. For interstate transports, the escort officer should have a properly executed governor's warrant or a properly executed waiver. The escort officer should also be specifically alerted to any potential security problems that the detainee may present during transport. This information should include escape or suicidal tendencies as well as unusual illnesses. **(M M M M)**

## PROCESSING AND TEMPORARY DETENTION

This chapter is applicable to situations when detainees are transported to a law enforcement facility, other than a holding facility, jail, or corrections facility, but under the control of the agency, for the purpose of processing, testing, or temporary detention. The length of time a detainee is held in temporary detention is measured in hours, not days and does not involve overnight housing or the provision of meals except in extenuating circumstances. Detainees should be kept in temporary detention areas no longer than necessary and should be monitored closely, particularly when they have not been through an intake and medical screening process as required in jails and holding facilities.

For the purpose of this chapter, temporary detention requires confinement within a facility and is not referring to detention of persons in public places. A contact between a law enforcement officer and a person does not become “temporary detention” nor does the person become a “detainee” until such time as the person is in the custody of agency personnel.

This chapter does not apply to the following:

- Detainees in a holding facility (see Chapter 72, Holding Facilities).
- Detainees in a courthouse or courtroom (see Chapter 73, Court Security).
- Detainees in a jail.
- Detainees in rooms designed for interviews (see Chapter 42, Criminal Investigations).

Jails or other correctional institutions are not accredited as part of the *Standards for Law Enforcement*. The American Correctional Association (ACA) should be contacted for information concerning *Standards for Adult Detention Facilities*.

Once temporary detention is authorized, the agency should have clear written directives and adequate training to ensure the security and safety of agency personnel, detainees, and members of the public who may be in proximity to the temporary detention areas utilized by the agency. An apparent cooperative detainee can become combative quickly and without warning. The agency should consider contingencies for such a situation.

Agency written directives should describe the temporary detention area and authorize its use, specifying time limits, if any, for the activity or process. The agency should also consider other provisions, such as the likely proximity of the detainee to those responsible for the detainee’s welfare.

Constant supervision is required for processing and testing. For example, if a detainee is restrained within a booking room, it may be permissible for the person responsible for the detainee to complete paperwork in close proximity to the detainee, but unreasonable to expect that person could leave the area of the booking room without jeopardizing safety and increasing the potential for escape.

Temporary detention usually involves being in close proximity with detainees, such as fingerprinting or administering breath tests or other procedures. Safety considerations such as securing weapons beforehand, how and when to secure weapons when in the presence of a detainee, and what alternative methods, if any, are available for processing unruly detainees should be considered when promulgating the agency's written directives.

The agency should also provide guidance for what to do if it appears the temporary detention time limit may be exceeded. The agency may require its personnel to document the reason for the delay, immediately transport the detainee to a more appropriate facility, or take other appropriate action.

## **71.1 Authorization**

**71.1.1** *A written directive designates specific room(s) and area(s) within the law enforcement facility authorized for use for detainee processing, testing, and temporary detention.*

**Commentary:** Agencies often need to temporarily detain persons as part of the arrest and booking process or before booking them into a holding facility or jail. Daily police operations are often unpredictable, and it may be necessary to use a room, space, or area in a law enforcement facility to separate persons under arrest, maintain control, complete reports and forms, conduct tests, wait for bonding, or help relieve a temporary booking backlog. (M M M M)

## **71.2 Training**

**71.2.1** *Personnel charged with monitoring temporarily detained individuals in the facility are provided initial training on the use of the temporary detention room(s) or area(s) and retraining at least once every three years.*

**Commentary:** Temporary detention occurring outside the confines of a facility such as a holding facility, jail, or other more secure correctional institution can involve close contact with detainees under challenging and less than ideal conditions. To reduce complacency, officer safety issues should be a priority of the agency training for both initial and retraining sessions. A cooperative detainee can quickly turn uncooperative or combative. Agency training should address the resources that are available to agency personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees. A discussion of alternative procedures, such as immediately transferring combative or uncooperative detainees to a more secure facility, or delaying necessary processing or testing until a court order can be obtained, will create a more efficient and safe environment for detainees and agency personnel. (M M M M)



### 71.3 Temporary Detention Room(s)

71.3.1 *A written directive governs procedures for the following:*

- a. *documenting the reason, date and time in and out of the facility, and any meals, if any, that were provided during the detention;*
- b. *supervision and accountability for processing, searching, and temporary detention of individuals within the facility;*
- c. *securing and monitoring unattended detainees within locked spaces, if authorized;*
- d. *temporary restraint of detainees by securing them to fixed objects, if any; and*
- e. *the separation of males, females, and juveniles.*

**Commentary:** Documenting aspects of the temporary detention and meeting applicable time constraints help ensure the agency's actions were necessary, defensible, and protect the agency from claims that a detainee was denied due process. Time limitations on temporary detention, if exceeded, should be documented with a reason for the delay. (M M M M)

71.3.2 *If a detainee is to be secured to an immovable object, it will be designed and intended for such use.*

**Commentary:** This method of restraint should only be used when no other suitable method is available. Immovable objects designed for this purpose may include a bar or ring to which a handcuff can be secured. (M M M M)

71.3.3 *A written directive addresses the following security concerns in designated temporary detention room(s):*

- a. *firearms will be secured before entering the temporary detention room;*
- b. *panic or duress alarms;*
- c. *authorized access to area and detainee, if any;*
- d. *escape prevention;*
- e. *face-to-face visual observation of unattended detainees at least every thirty minutes; and*
- f. *use of audio and/or video devices, if any, to monitor detainees between the thirty minute face-to-face visual observations.*

**Commentary:** Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. The use of portable radios with a designated signal and procedures for distress in the temporary detention area will suffice for panic or duress alarms.

The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the temporary detention room or areas environment when formulating its directive on the exclusion of firearms. (M M M M)

## 71.4 Temporary Detention Facility Conditions

*71.4.1 A written directive establishes minimum physical conditions for temporary detention room(s) and provides for access to water, restrooms, and other needs.*

**Commentary:** These comfort items are not required to be in the room, but the agency is responsible to ensure these items are provided to detainees in a timely manner. (M M M M)

*71.4.2 There is a plan for fire prevention, fire evacuation, and fire suppression for the temporary detention room(s).*

**Commentary:** The standard does not require a separate plan for the individual area(s) used for temporary detention and can be part of the overall plan for the law enforcement facility. (M M M M)

*71.4.3 A written directive governs the frequency of inspections of the temporary detention room(s) and provides for the administrative review of temporary detention areas and procedures at least once every three years.*

**Commentary:** Rooms utilized for temporary detention should receive regularly scheduled inspections for cleanliness and to determine if any unsafe conditions are developing. The administrative review should ensure that agency policies and procedures governing temporary detention are being followed and that the original intent for authorization and use of the facility continues to be adequate for the agency's needs. The administrative review can also disclose more adequate arrangements for detention, such as the availability of a newly built central holding facility or jail that was not previously available or considered by the agency. (M M M M)

## 71.5 Processing and Testing

*71.5.1 A written directive addresses the following security concerns in designated processing or testing room(s) or area(s):*

- a. constant supervision;*
- b. weapons control;*
- c. panic or duress alarms; and*
- d. escape prevention.*

**Commentary:** Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. Officer safety should always be a priority when an agency exercises discretion related to security of weapons, to include firearms. The agency should consider any other items such as knives, batons, chemical sprays, electronic controlled weapons, etc., it may want to exclude from the processing and testing environment when formulating its directive. The use of portable radios with a designated signal and procedures for distress in the processing or testing area will suffice for panic or duress alarms. (M M M M)

# 72

## HOLDING FACILITY

Standards in this chapter apply only to those agencies operating holding facilities to maintain custody of detainees for periods not exceeding 72 hours except in documented exigent circumstances which will be reported in the agency's annual report to CALEA.

Such facilities include substations or precinct lockups, as well as facilities operated as collection centers in which detainees are held for periods not exceeding 72 hours before their transfer to longer-term detention facilities.

Not included in this category are holding facilities co-located with and operated as an integral part of a jail or other correctional institution whose primary purpose is to house detainees for periods exceeding 72 hours. Agencies operating such facilities should contact the Commission on Accreditation for Corrections for possible accreditation.

For Court Holding Facilities, see Chapter 73, Court Security.

Carefully read the Glossary terms: "Holding Facility," "Jail," and "Court Holding Facility" before proceeding with this chapter.

### 72.1 Organization, Administration, and Management

**72.1.1** *A written directive requires that personnel receive initial training on the operations of the holding facility, to include fire suppression and equipment provided for use by the agency, and retraining at least once every three years.*

**Commentary:** Types and levels of training should vary with the nature of assignments and responsibilities. Employees who work in direct, continuing contact with detainees require special training, including use of physical restraint, to ensure safety and security of staff and detainees. Employees who do not work in direct contact with detainees should receive an orientation on the operation of the holding facility and their role, if any.

Fire suppression may include smoke and fire detectors, fire extinguishers, fire hoses to one and one-half inches, and air packs (see standard 72.3.1). (M M M M)

**72.1.2** *A written directive governs access of nonessential persons to the holding facility.*

**Commentary:** If nonessential persons are granted access to holding facilities, their presence should not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or the defense. Access of all nonessential persons should be prohibited in emergency situations. (M M M M)

**72.1.3** *The agency has procedures for safeguarding detainee records from unauthorized disclosure.*

**Commentary:** A detainee's constitutional right to privacy can be violated if records are improperly disseminated. The agency should establish procedures to limit access to detainee records in accord with federal and state statutes. (M M M M)

## **72.2 Physical Plant**

**72.2.1** *Holding facilities provide the following minimum conditions for detainees:*

- a. adequate lighting as required by local code or ordinance;*
- b. circulation of fresh or purified air in accordance with local public health standards;*
- c. access to a toilet and drinking water;*
- d. access to a wash basin or shower for detainee held in excess of eight hours; and*
- e. a bed and bedding for each detainee held in excess of eight hours.*

**Commentary:** Sufficient air, lighting, and sanitary facilities are essential to the health of detainees. Bedding issued to detainees held overnight should be clean, sanitary, and fire-retardant. The directive may provide exceptions for detainees who are deemed to be suicidal. (M M M M) **Compliance may be OBSERVED.**

## **72.3 Safety and Sanitation**

**72.3.1** *The facility has an automatic fire alarm and heat and smoke detection system, fire equipment approved in writing by state or local fire officials, and a written directive prescribing fire prevention practices and procedures, to include:*

- a. a weekly documented visual inspection and a semiannual documented testing of fire equipment; and*
- b. a daily visual inspection; and documented testing of the automatic fire detection devices and alarm systems as required by local fire code.*

**Commentary:** Reasonable provisions for testing and or self-testing of the technology employed should be established to ensure the integrity and reliability of the system. The agency should plan and execute all reasonable procedures for the prevention and prompt control of fire (see standard 72.1.1). (M M M M)

**72.3.2** *There is a written and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.*

**Commentary:** If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of detainees. The plan also should include provisions for first aid and hospital transportation. (M M M M)

**72.3.3** *A written directive requires a documented weekly sanitation inspection of the facility and specifies procedures for control of vermin and pests.*

**Commentary:** Any condition conducive to harboring or breeding insects, rodents, or other vermin should be eliminated. If necessary, pest control professionals should be used to clean or fumigate the facility. (M M M M)

## **72.4 Security and Control**

**72.4.1** *A written directive specifies that firearms will be secured before entering the holding facility, and if any exceptions or conditions are permitted in emergencies, they are included in the directive.*

**Commentary:** The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the holding facility environment when formulating its directive on the exclusion of firearms. (M M M M)

**72.4.2** *A written directive governs conditions under which an employee enters an occupied cell.*

**Commentary:** To ensure that detainees held in cells do not have an opportunity to take keys from an employee and escape, it is preferable that employees not enter a cell alone, unless they are being monitored by visual or audio surveillance devices and/or have a distress alarm in their possession. (M M M M)

**72.4.3** *A written directive governs control and use of electronic and manual keys.*

**Commentary:** The key control system should provide an accurate accounting of the location and possessor of each key. Duplicate emergency keys or a master key should be readily available in emergency situations. (M M M M)

**72.4.4** *A written directive specifies which holding facility doors are to be secured and when.*

**Commentary:** It is essential that staff members know which doors should be locked, when and under what circumstances they should be opened. Doors to vacant units, unoccupied cells, and storage rooms should be locked when not in use. Doors should be tested for vulnerability after they are secured. (M M M M)

**72.4.5** *A written directive requires a security check, including searching for weapons and contraband, prior to and immediately after each use of a cell.*

**Commentary:** The written directive should indicate who is responsible for making this security check and require that any conditions observed be reported immediately to supervisory personnel either verbally or in writing. (M M M M)

**72.4.6** *A written directive requires a documented security inspection, including searching for weapons and contraband, of the holding facility at least weekly.*

**Commentary:** At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering. Inspections should include occupied and unoccupied cells. Results of these inspections should be submitted in writing to the chief executive officer or his/her designee. All defective security equipment should be replaced or repaired immediately. All holding areas and other areas to which detainees have access should be searched for weapons and contraband. (M M M M)

*72.4.7 A written directive governs control of tools and culinary equipment.*

**Commentary:** A strict accounting should be made of all tools and utensils coming in and going out of the facility, as well as strict visual supervision of their use while inside the facility. A system to control tools and culinary equipment brought into the facility should apply to agency personnel and outside maintenance persons alike. (M M M M)

*72.4.8 The agency has a system in the holding facility to alert a designated control point in the event of an emergency.*

**Commentary:** An audio communication system may be enhanced by the use of video equipment to supplement personal supervision by staff. Detainees also can use the system to advise staff of emergency needs (see standard 72.8.2). (M M M M) **Compliance may be OBSERVED.**

*72.4.9 If employees are not equipped with "alert" or "panic alarm" systems or a means of two-way communication, there is a security alarm system, which is monitored at all times, linked to a designated control point.*

**Commentary:** None. (M M M M) **Compliance may be OBSERVED.**

*72.4.10 A written directive prescribes procedures to be followed in the event of an escape.*

**Commentary:** The procedures to be followed if an escape occurs should be made known to all personnel. They should include provisions for sounding alarms, alerting officials, mobilizing resources, and ending the alert. (M M M M)

*72.4.11 A written directive requires a documented report of all incidents that threaten the facility or any person therein.*

**Commentary:** None. (M M M M)

## **72.5 Detainee Processing**

*72.5.1 A written directive establishes procedures for maintaining control of the detainee's property, to include:*

- a. an inventory search of the detainee at the time of booking and prior to entry to the holding facility;*

- b. *an itemized inventory of property taken from the detainee;*
- c. *secure storage of property taken; and*
- d. *return of property upon release.*

**Commentary:** The written directive should precisely identify the types and scope of searches to be conducted by agency personnel. The directive should be consistent with current legal standards concerning the conduct of strip searches and body cavity searches (see standard 1.2.8). The written directive should also specify which items may be retained by the detainee and which may not. It is important to record carefully all property pending its return at the time of release. Unauthorized items and confiscated contraband should be shown on the inventory along with the detainee's signature, and a copy placed in the detainee's file. Property should be compared with the inventory list and, if everything is in order, the detainee should sign a receipt for property returned. Property retained for evidentiary or other purposes should be noted on the receipt. If the detainee is released to a transporting employee for transfer to another facility, the property should be given to the transporting employee, who should sign the receipt. The facility should maintain a copy of the receipt for its files. If possible, this process should be witnessed. If the detainee refuses to sign the inventory, it should be so noted. (M M M M)

**72.5.2** *A written directive requires that an intake form is completed for every person booked into the facility and contains the following information to the extent permitted by law:*

- a. *arrest information; and*
- b. *property inventory and disposition.*

**Commentary:** Intake information should enhance the ability of the facility staff to promote conditions that contribute positively to the health and security of the detainee, to the safety of others, to the security of property, and to the positive identification of the detainee. Standard 72.6.3 sets forth the requirements for medical screening of detainees on booking into the facility and before transfer to another facility. This information may be included on the same intake form. (M M M M)

**72.5.3** *If males, females, and/or juveniles are required to be detained at the same time, their holding areas are separated from each other by sight and sound.*

**Commentary:** The intent of this standard is to ensure the segregation of three detainee types. Juveniles should not be processed in the presence of adult violators and should be held in areas away from adult detainees. Females should be separated from areas where males are detained.

Sound, for the purpose of this standard, is defined as normal/loud conversation and does not include deliberate yelling or screaming. Yelling and screaming should be controlled by persons supervising detainees.

Agencies may comply with this standard by developing written procedural alternatives to avoid detaining males/females/juveniles in the same area. (M M M M) **Compliance may be OBSERVED.**

**72.5.4** *A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.*

**Commentary:** The holding facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol. Such persons should be detained in other facilities, when available. When these facilities are not available, special consideration should be given to ensuring that the potential for detainees to injure themselves or others is minimized. Such detainees should remain under close observation by facility staff. (M M M M)

*72.5.5 If detainees are received from an outside agency, positive identification is made of the person presenting the detainee for detention, including verification of the person's authority to make the commitment.*

**Commentary:** If unknown, the person presenting the detainee for detention should be required to produce appropriate identification and his or her legal authority to make the commitment. Phone calls may be necessary to verify the identity of the presenting party. (M M M M)

*72.5.6 A written directive prescribes space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the holding facility.*

**Commentary:** The directive should address such matters as provision for extra personnel, additional physical facilities, and booking and detention procedures. (M M M M)

*72.5.7 A written directive requires positive identification be made before a detainee is released.*

**Commentary:** None. (M M M M)

## **72.6 Medical and Health Care Services**

*72.6.1 A written directive, approved by a licensed physician, identifies the policies and procedures to be followed when a detainee is in need of medical assistance.*

**Commentary:** Arrangements for detainee emergency health care should be made with a local medical facility. If possible, a licensed health care professional should be identified as the emergency health care contact person. At least one on-duty person should be certified in first aid. The intent of this standard is to ensure that staff recognize, take immediate action on, and report all detainee medical emergencies. (M M M M)

*72.6.2 A first-aid kit is available in all facilities and is subjected to a documented weekly inspection and replenished, as necessary.*

**Commentary:** First-aid equipment available to facility personnel should provide a capability for proper response to a broad range of anticipated emergencies. (M M M M) **Compliance may be OBSERVED.**

*72.6.3 A written directive requires that detainee "receiving screening" information be obtained and recorded when detainees are admitted to the facility and before transfer to another facility. Receiving screening must include an inquiry into:*



- a. *current health of the detainee;*
- b. *medications taken by detainee;*
- c. *behavior, including state of consciousness and mental status; and*
- d. *trauma markings, bruises, lesions, jaundice, ease of movement, etc.*

**Commentary:** The purpose of the screening is to determine whether medical attention is required. Female detainee screening should take into account the special needs of women.

Receiving screening may be performed by allied health personnel or by trained correctional employees at the time of booking. The information obtained may be recorded on a separate form designed for this purpose or recorded with other information obtained during the booking process (see standard 72.5.2). In addition, a record should be kept of all treatment and medication administered to a detainee, including circumstances or events necessitating such treatment. (M M M M)

**72.6.4** *Procedures for gaining access to medical services are posted in areas used by detainees, in the language(s) prevalent to the area.*

**Commentary:** It is important that detainees know that emergency health care services are available to them. The procedures for requesting emergency health care should be posted in conspicuous places in English and in any other languages that may be prevalent in the area. Access procedures should be explained orally to detainees unable to read. Signs should be permanently mounted and legible. (O O O O) **Compliance may be OBSERVED.**

**72.6.5** *A written directive controls distribution and documentation of pharmaceuticals within the facility, to include over the counter medications and medications belonging to the detainee.*

**Commentary:** Procedures should be in place to verify detainee medication and the dosage limits and requirements. (M M M M)

## **72.7 Detainee Rights**

**72.7.1** *A written directive sets forth procedures regarding a detainee's rights that include, at a minimum:*

- a. *a timely court appearance;*
- b. *opportunity to make bail;*
- c. *confidential access to attorneys;*
- d. *access to a telephone;*
- e. *alerting the detainee to monitored or recorded telephone conversations; and*
- f. *three meals are provided to all detainees during each 24-hour period.*

**Commentary:** None. (M M M M)

## 72.8 Supervision of Detainees

**72.8.1** *A written directive requires 24-hour monitoring of detainees by agency staff, including a face to face count of the detainee population at least once every shift, and establishes procedures to ensure that the detainee is visually observed by agency staff at least every thirty minutes.*

**Commentary:** Twenty-four-hour monitoring is essential for maintaining security and ensuring the safety and welfare of detainees. Monitoring, as used in this standard, assumes agency staff is present in the same building that houses the holding facility and not at a remote location. One intent of this standard is to prohibit delegating supervision to a trustee. In addition to a count of the detainee population at least once every shift, other counts may be necessary prior to and following certain activities, such as night lockup, recreation, and meals.

Care should be taken during physical checks that the detainee does not anticipate the appearance of agency staff. Detainees who are security risks should be under closer surveillance and require more frequent observation. This classification includes not only detainees who are violent but also those who are suicidal or mentally ill or demonstrate unusual or bizarre behavior. (M M M M)

**Commission Interpretation (March 22, 1996)**—term “Visually Observed”: Agencies are encouraged, but not required, to introduce direct physical checks whenever possible, but detainees may be observed through audio/visual means.

**72.8.2** *If audio and/or visual electronic surveillance equipment is used, a written directive specifies that the equipment will be controlled to reduce the possibility of invading a detainee’s personal privacy.*

**Commentary:** Electronic surveillance devices, such as television cameras and listening devices, should be used primarily at critical locations of movement in the facility. They should not be used in such a way that they violate the personal privacy of detainees. Exceptions may be made, and they should be noted in the directive (see standard 72.4.8). (M M M M)

**72.8.3** *A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member.*

**Commentary:** It is extremely difficult for staff to supervise detainees of the opposite sex; agency staff should be carefully advised of procedures to be followed and, if possible, have all contact monitored by another employee in these instances. (M M M M)

**72.8.4** *If detainees are allowed to receive mail or packages while incarcerated, a written directive regulates procedures, to include:*

- a. accepting and inspecting items;*
- b. listing items which are not authorized;*
- c. recording received items in the detainees’ property record; and*
- d. distribution to the detainee.*

**Commentary:** Holding facilities are generally not prepared to deal with the problems and hazards

associated with receiving property on behalf of a detainee in their custody. To avoid problems, agencies may wish to prohibit all deliveries to detainees until they are released or transferred to a long-term correctional institution.

If allowed, cash, checks, or money orders received from incoming mail or from visitors should be carefully inspected, duly receipted, added to the detainee's property inventory report, and housed with the detainee's other property. All items received should be carefully inspected for weapons, contraband, or threats to the security of the holding facility.

The policy chosen by the agency should be in writing and consistently applied in all situations.  
(M M M M)

*72.8.5 A written directive governs procedures for visiting detainees.*

**Commentary:** Holding facilities are generally not equipped to handle visitors. Visits should be discouraged until detainees arrive at the appropriate correctional institution where visitations can be appropriately managed.

Holding facility security is paramount. All contact with a detainee should be closely monitored and controlled to avoid transfer of weapons or contraband. In exceptional situations, where a detainee should meet with a visitor, such as an attorney, the detainee should be removed from the holding facility and brought to another location for the meeting.

The detainee should be carefully searched before leaving and re-entering the holding facility. Each visitor should be required to register his or her name, address, and relationship to detainee upon entry. Generally, all visitors, and their belongings, coming into direct contact with detainees should be searched.  
(M M M M)

## COURT SECURITY

Civil and criminal courts adjudicate cases, penalize those found guilty of violating the law, and protect the constitutional rights of those brought before them. Violence, or a threat of violence, in the courtroom facility would have a profound negative impact on the court's functioning. Accordingly, appropriate levels of security should prevail in the court facility and/or courtrooms to protect the integrity of court procedures, to sustain the rights of individuals before it, to deter those who would take violent action against the court or participants in court procedures, and to sustain the decorum of the court. Security measures used should include those designed to maintain the physical security of facilities and protect the judge, jury, and all other participants in the proceedings in court, as well as the public. These measures should be designed to intercept and remove individuals and items that may represent a threat to the peace, order, and integrity of the court.

Although the size, type, and numbers of courts and/or courtrooms in a particular jurisdiction will vary considerably, a minimum level of security should prevail in each. The security function for the court facility and/or courtrooms may be shared by two or more officials, or one official may carry this responsibility alone. When responsibility is shared by two or more officials, a memorandum of agreement should identify the responsibilities of each.

Standards specified herein apply only to those law enforcement agencies that have responsibilities for provision of security within the courtroom (including limited-use courtrooms and court facilities), for the courthouse itself, or both. The categories of standards set forth are administration, operations, policy/procedures, equipment, and court holding facilities. Emphasis is given to the fact that effective security for the court facility will be dependent on the use of written directives and operational plans. Also, it is implicit that written directives prepared in response to these standards are not in conflict with prevailing laws or court orders and are in accord with actual needs.

Standards in subchapter 73.5 are applicable to court holding facilities.

### 73.1 Administration

**73.1.1** *If the agency has a court security function, a written directive includes:*

- a. *a clear description of the agency's role and authority for court security;*
- b. *a clearly defined policy and procedure on court security for agency personnel assigned to the function; and*

c. *identification of a position in the agency responsible for the security function.*

**Commentary:** The written directive may be as simple as a general order or as sophisticated as a desktop manual.

This standard is conditional upon the agency's obligation to provide security for a court facility as a part of its responsibility. Responding to the court on routine calls for service is no different from other such requests and does not cause this chapter to be applicable.

If the court security function is shared by two or more agencies, a memorandum of agreement should identify the responsibilities of each.

While the development of a suitable court facility security function is a cooperative effort involving the agency and the court, once established, the agency should maintain full control over its function and personnel. In addition to general agency policy, clear and concise policy and procedures for the court security function should be developed and provided in writing. (M M M M)

## 73.2 Operations

**73.2.1** *The court security function operates in collaboration with court personnel to include, at a minimum:*

- a. *facilities;*
- b. *equipment; and*
- c. *plans/procedures based on a documented security survey conducted once every three years.*

**Commentary:** The intent of this standard is to meet the needs of a variety of situations that may occur in the court.

"Facilities" refers to interior and exterior doors/windows, interior and exterior lighting, emergency lighting and power, fire/smoke detection and suppression equipment, alarms, e.g., intrusion, fire, duress, circulation patterns, secure areas, restricted areas, key control, ADA (Americans with Disabilities Act) accessibility, and communications.

"Equipment" includes fire suppression, medical supplies, restraining devices, communications, weapons (ammunition, gas), magnetometers, and alarms.

"Plans/procedures" refer to the establishment of plans and or procedures to deal with emergencies (fire, medical, hostage, bomb, disaster), high-risk trials, searches (area, person), weapons, use of restraining devices, detainee movement, and circulation pattern. (M M M M)

## 73.3 Security Policy and Procedures

**73.3.1** *If policies prohibit weapons in areas of the court, a secure area for weapons storage will be provided.*

**Commentary:** Rules of the court or other regulations may prohibit weapons being carried in parts of the court facility. Secure areas should be located so that they are convenient for law enforcement officers as well as secure. (M M M M)

**73.3.2** *A written directive governs use of restraints on persons in custody while in the courtroom.*

**Commentary:** These persons may be defendants awaiting trial, detainees appearing as participants in a trial, or persons ordered by the court to be detained. The use of all restraining devices, where and when they are to be used, should be clearly set forth as applicable to the above persons whether they are male, female, juvenile, or handicapped, and exceptions should be included, if applicable. Application of policy should be uniform and consistent. A variety of restraining devices should be securely stored in or near the courtroom(s) and available for use by court security employees. Restraining procedures should be adopted in collaboration with the judiciary. (M M M M)

## **73.4 Equipment**

**73.4.1** *Equipment used for the court security function is specifically identified, available for immediate use, and maintained in a state of readiness.*

**Commentary:** It is important that court security employees know the types, quantity, condition, and location of such equipment. A list that identifies dates of acquisition and shelf life for such material as chemical agents should be readily available to the court security employee. Recorded items may include weapons, chemical agents, electronic gear, such as alarms, communications equipment, etc.; fire detection and fire-fighting items; restraining devices; medical emergency items; crowd control items; and photographic equipment. Inspection forms completed at regular intervals, should attest to the current state of readiness. Actual testing of equipment, where appropriate, should also be scheduled at regular intervals to ensure system integrity. Certification of equipment readiness by bona fide experts, e.g., engineers, fire marshals, doctors, is acceptable in lieu of actual testing. (M M M M) **Compliance may be OBSERVED.**

**73.4.2** *Courtrooms are equipped with at least one means of external voice communication.*

**Commentary:** This may be a telephone, a two-way radio (fixed or portable), or an intercom system. The need to communicate orally with security personnel in specific emergencies, such as a medical emergency, hostage situation, or at other times when assistance is needed, dictates this standard. (M M M M) **Compliance may be OBSERVED.**

**73.4.3** *Courtrooms are equipped with duress alarms.*

**Commentary:** Duress alarms are usually operated by switches at the judge's bench. It is also advisable to have switches at the clerk's and the bailiff's positions. Procedures should be in place to ensure operational readiness. The alarms should terminate in an area from which rapid response can be made to the call for assistance; the agency's communications centers would be ideal. The level of sophistication of the alarm system should be consistent with the needs of individual courtrooms. (O O O O) **Compliance may be OBSERVED.**

## 73.5 Court Holding Facilities

**73.5.1** *A written directive requires that personnel receive initial training on the operations of the court holding facility, to include fire suppression and equipment provided for use by the agency and retraining at least once every three years.*

**Commentary:** Types and levels of training should vary with the nature of assignments and responsibilities. Employees who work in direct, continuing contact with detainees require special training, including use of physical restraint, to ensure safety and security of staff and detainees. Employees who do not work in direct contact with detainees should receive an orientation on the operation of the holding facility and their role, if any. (M M M M)

**73.5.2** *A written directive establishes procedures for a search of the detainee, to include:*

- a. *an inventory search of the detainee at the time of booking and prior to entry to the court holding facility; and*
- b. *an itemized inventory of property taken from the detainee.*

**Commentary:** The written directive should precisely identify the types and scope of searches to be conducted by agency personnel. The directive should be consistent with current legal standards concerning the conduct of strip searches and body cavity searches (see standard 1.2.8). The written directive should also specify which items may be retained by the detainee and which may not. It is important to record carefully all property pending its return at the time of release. Unauthorized items and confiscated contraband should be shown on the inventory along with the detainee's signature, and a copy placed in the detainee's file. If possible, this process should be witnessed. If the detainee refuses to sign the inventory, it should be so noted. (M M M M)

**73.5.3** *A written directive requires the secure storage of any property taken from detainees.*

**Commentary:** None. (M M M M)

**73.5.4** *A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.*

**Commentary:** The court holding facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol. Such persons should be detained in other facilities, when available. When these facilities are not available, special consideration should be given to ensuring that the potential for detainees to injure themselves or others is minimized. Such detainees should remain under close observation by facility staff. (M M M M)

**73.5.5** *A written directive, approved by a licensed physician, identifies the policies and procedures to be followed when a detainee is in need of medical assistance.*

**Commentary:** Arrangements for detainee emergency health care should be made with a local medical facility. If possible, a licensed health care professional should be identified as the emergency health care contact person. At least one on-duty person should be certified in first aid. The intent of this standard is

to ensure that staff recognize, take immediate action on, and report all detainee medical emergencies. (M M M M)

**73.5.6** *A first-aid kit is available in all facilities and is subjected to a documented weekly inspection and replenished, as necessary.*

**Commentary:** First-aid equipment available to facility personnel should provide a capability for proper response to a broad range of anticipated emergencies. (M M M M) **Compliance may be OBSERVED.**

**73.5.7** *A written directive governs access of nonessential persons to the court holding facility.*

**Commentary:** If nonessential persons are granted access to court holding facilities, their presence should not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or the defense. Access of all nonessential persons should be prohibited in emergency situations. (M M M M)

**73.5.8** *Court holding facilities provide the following minimum conditions for detainees:*

- a. *adequate lighting as required by local code or ordinance;*
- b. *circulation of fresh or purified air in accordance with local public health standards; and*
- c. *access to a toilet and drinking water.*

**Commentary:** Sufficient air, lighting, and sanitary facilities are essential to the health of detainees. (M M M M) **Compliance may be OBSERVED.**

**73.5.9** *The facility has an automatic fire alarm and heat and smoke detection system, fire equipment approved in writing by state or local fire officials, and a written directive prescribing fire prevention practices and procedures, to include:*

- a. *a weekly documented visual inspection and a semiannual documented testing of fire equipment; and*
- b. *a daily visual inspection; and documented testing of the automatic fire detection devices and alarm systems as required by local fire code.*

**Commentary:** Reasonable provisions for testing and or self-testing of the technology employed should be established to ensure the integrity and reliability of the system. The agency should plan and execute all reasonable procedures for the prevention and prompt control of fire. (M M M M)

**73.5.10** *There is a written and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.*

**Commentary:** If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of detainees. The plan also should include provisions for first aid and hospital transportation. (M M M M)



**73.5.11** *A written directive requires a documented weekly sanitation inspection of the facility and specifies procedures for control of vermin and pests.*

**Commentary:** Any condition conducive to harboring or breeding insects, rodents, or other vermin should be eliminated. If necessary, pest control professionals should be used to clean or fumigate the facility. (M M M M)

**73.5.12** *A written directive specifies that firearms will be secured before entering the court holding facility, and, if any exceptions or conditions are permitted in emergencies, they are included in the directive.*

**Commentary:** The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the holding facility environment when formulating its directive on the exclusion of firearms. (M M M M)

**73.5.13** *A written directive governs conditions under which an employee enters an occupied cell.*

**Commentary:** To ensure that detainees held in cells do not have an opportunity to take keys from an employee and escape, it is preferable that employees not enter a cell alone, unless they are being monitored by visual or audio surveillance devices and/or have a distress alarm in their possession. (M M M M)

**73.5.14** *A written directive governs control and use of electronic and manual keys.*

**Commentary:** The key control system should provide an accurate accounting of the location and possessor of each key. Duplicate emergency keys or a master key should be readily available in emergency situations. (M M M M)

**73.5.15** *A written directive specifies which court holding facility doors are to be secured and when.*

**Commentary:** It is essential that staff members know which doors should be locked, when and under what circumstances they should be opened. Doors to vacant units, unoccupied cells, and storage rooms should be locked when not in use. Doors should be tested for vulnerability after they are secured. (M M M M)

**73.5.16** *A written directive requires a security check, including searching for weapons and contraband, prior to and immediately after each use of cell.*

**Commentary:** A security check, including a search for weapons and contraband, should be made of each unoccupied cell prior to use. In addition, a cell should be checked when it becomes unoccupied. The written directive should indicate who is responsible for making this security check and require that any conditions observed be reported immediately to supervisory personnel either verbally or in writing. (M M M M)

**73.5.17** *A written directive requires a documented security inspection, including searching for weapons and contraband, of the court holding facility at least weekly.*

**Commentary:** At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering. Inspections should include occupied and unoccupied cells. Results of these inspections should be submitted in writing to the chief executive officer or his/her designee. All defective security equipment should be replaced or repaired immediately. All holding areas and other areas to which detainees have access should be searched for weapons and contraband.  
(M M M M)

**73.5.18** *The agency has a system in the court holding facility to alert a designated control point in the event of an emergency.*

**Commentary:** An audio communication system may be enhanced by the use of video equipment to supplement personal supervision by staff. Detainees also can use the system to advise staff of emergency needs. (M M M M) **Compliance may be OBSERVED.**

**73.5.19** *If employees are not equipped with "alert" or "panic alarm" systems or a means of two-way communication, there is a security alarm system, which is monitored at all times, linked to a designated control point.*

**Commentary:** None. (M M M M) **Compliance may be OBSERVED.**

**73.5.20** *A written directive prescribes procedures to be followed in the event of an escape.*

**Commentary:** The procedures to be followed if an escape occurs should be made known to all personnel. They should include provisions for sounding alarms, alerting officials, mobilizing resources, and ending the alert. (M M M M)

**73.5.21** *A written directive requires a documented report of all incidents that threaten the facility or any person therein.*

**Commentary:** None. (M M M M)

**73.5.22** *Procedures for gaining access to medical services are posted in areas used by detainees.*

**Commentary:** It is important that detainees know that emergency health care services are available to them. The procedures for requesting emergency health care should be posted in conspicuous places in English and in any other languages that may be prevalent in the area. Access procedures should be explained orally to detainees unable to read. Signs should be permanently mounted and legible.  
(O O O O) **Compliance may be OBSERVED.**

**73.5.23** *If audio and/or visual electronic surveillance equipment is used, a written directive specifies that the equipment will be controlled to reduce the possibility of invading a detainee's personal privacy.*

**Commentary:** Electronic surveillance devices, such as television cameras and listening devices, should be used primarily at critical locations of movement in the facility. They should not be used in such a way that they violate the personal privacy of detainees. Exceptions may be made, and they should be noted in the directive. (M M M M)

**73.5.24** *A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member.*

**Commentary:** It is extremely difficult for staff to supervise detainees of the opposite sex; agency staff should be carefully advised of procedures to be followed and, if possible, have all contact monitored by another employee in these instances. (M M M M)

## LEGAL PROCESS

Many law enforcement agencies are mandated by state constitution, statute, or ordinance to serve civil process and/or execute criminal process in support of the judicial function.

The functioning of the courts is affected by the prompt service of court documents. Thus, the effectiveness and image of the judicial system are dependent in part, upon the effective and timely service of court documents.

The types of process to be served or executed vary among jurisdictions as do some of the agencies' accompanying responsibilities, depending on the source of legal authority. Inadequate record-keeping and/or inappropriate procedures may subject the law enforcement agency to litigation and civil liability.

In many cases, the law enforcement agency collects funds derived from fees and sale of property at the direction of the court. Consequently, the agency must ensure proper accountability of these funds.

Standards in this chapter address areas of agency discretion in performing and recording its legal process functions, including records, civil process, criminal process, financial requirements, and property management. The standards are designed to ensure sufficiency of information, accuracy, timeliness, accessibility, and fiscal accountability in the delivery of legal process services but not functional responsibility. Responsibility for functions in this chapter may be shared throughout the agency, e.g., patrol, criminal investigation, communications, records, or provided by a specialized component(s), e.g., warrant/fugitive, civil process.

### 74.1 Records

**74.1.1** *Information regarding each item of legal process, civil and/or criminal, is recorded, and includes the following elements:*

- a. *date and time received;*
- b. *type of legal process, civil or criminal;*
- c. *nature of document;*
- d. *source of document;*
- e. *name of plaintiff/complainant or name of defendant/respondent;*
- f. *officer assigned for service;*
- g. *date of assignment;*
- h. *court docket number; and*
- i. *date service due.*

**Commentary:** Record entries may be cross-referenced so that the information can be retrieved by means of the court's docket number and by the names of any of the parties to the action. In most instances, a unique number should be assigned to permit cross-reference of the return with the entry. (M M M M)

**74.1.2** *A record on the execution or attempted service of legal process documents is maintained, and includes:*

- a. *date and time service was executed/attempted;*
- b. *name of officer(s) executing/attempting service;*
- c. *name of person on whom legal process was served/executed;*
- d. *method of service/reason for nonservice; and*
- e. *address of service/attempt.*

**Commentary:** None. (M M M M)

**74.1.3** *A written directive establishes procedures for maintaining a warrant and wanted persons file, to include:*

- a. *establishing criteria for entering notices in regional, state, and federal information systems;*
- b. *establishing criteria for receiving information from other jurisdictions;*
- c. *recording the information in agency files;*
- d. *verifying information;*
- e. *canceling information; and*
- f. *requiring 24-hour access to the warrant.*

**Commentary:** The procedure should include the mechanics of initiating a case report, assigning the case, and filing warrants in a way that ensures immediate accessibility. Warrants and the master name index should be cross-referenced.

Some agencies may place this responsibility with central records; others may have specialized components, such as warrant and fugitive or civil process units. (M M M M)

## **74.2 Civil Process**

**74.2.1** *Written directives govern the service of civil process documents.*

**Commentary:** Typically, the written directives should describe the role of the process servers and their general responsibilities relating to the methods of service and the actions required of the servers. Agencies should remember that some protection orders and anti-harassment orders should be included in their directive. Additionally, each type of process in the jurisdiction may be identified and any specific requirements unique to that individual process should be explained. The procedures for execution of the return may be explained, including notations and attachments. The directive should also contain details for service on partnerships and corporations as well as civil process received from, or served, outside of the agency's jurisdiction. (M M M M)

### **74.3 Criminal Process**

#### **74.3.1** *Written directives govern the execution of criminal process.*

**Commentary:** The directives should address the types of warrants to be executed, including search warrants, territorial limitations upon execution, time requirements for execution, statutory provisions for summoning aid, and procedures for the issuance of summons in lieu of arrest. Consideration should also be given to such matters as standards for the use of force, statutory provisions respecting immunity from arrest, as well as other statutory provisions pertaining to arrest in the jurisdiction. (MMMM)

#### **74.3.2** *Arrest warrants are executed by sworn law enforcement officers only.*

**Commentary:** Statutory mandates, plus the broader potential civil liability for citizens who effect arrests, make it essential that only sworn officers execute criminal process. (MMMM)

## COMMUNICATIONS

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. It is the latter situation that places the greatest demands upon the communications system and tests the capability of the system to fulfill its functions.

The system conveys information from the public to the law enforcement agency through communications personnel, to the officer who responds to the call for assistance, to other law enforcement and public service agencies, and to information storage facilities and retrieval subsystems. The speed and accuracy with which information flows through each system are measures of the agency's capability to respond to the needs of the community.

It would be virtually impossible to design a law enforcement communications system that would meet every agency's requirements. Each system must be sufficiently flexible in design to fulfill the needs of the individual agency. However, measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, utilizes available information technology in fulfillment of its missions.

### 81.1 Administration

**81.1.1** *If the communications function is provided by a shared or multi-jurisdictional entity, written agreements or authorizing documents govern the authority and responsibility of both the agency and the entity, and include, at a minimum, provisions for complying with all applicable standards for this function on behalf of the agency.*

**Commentary:** When the communications function is shared or delegated to another entity, it is necessary to specify accountability and achieve compliance with this chapter (see Guiding Principles 1.1 and 1.2). The agency may rely on documents developed by the outside communications center in proving compliance with these standards. (M M M M)

**81.1.2** *The agency has current Federal Communications Commission (FCC) or applicable regulatory agency licenses and has access to the regulatory agency's current rules and regulations.*

**Commentary:** None. (M M M M) **Compliance may be OBSERVED.**

## 81.2 Operations

**81.2.1** *The agency provides 24-hour, toll-free voice and TDD telephone access or an equivalent system for emergency calls for service.*

**Commentary:** The public should be able to contact the law enforcement agency at all times for information or assistance that may be needed in emergencies. Agencies that are unable to maintain 24-hour telephone service should arrange for such service through neighboring departments, sheriff's departments, or the state police. Access to emergency services should be toll free within the agency's jurisdiction or permit free access to the operator. Each emergency answering point for the agency should be equipped with a system capable of handling assistance calls from persons who are hearing impaired. **(M M M M) Compliance may be OBSERVED.**

**81.2.2** *The agency has continuous two-way communication capability between the communications center and officers on duty.*

**Commentary:** Immediate communications capability provides a measure of safety and security to law enforcement officers and the public. The nature of an officer's assignment, such as undercover, might dictate an exception to this continuous communication requirement.

The intent of this standard is to ensure that on-duty officers have the means for constant communication. In most situations, portable transceivers are required to enable officers on foot patrol and those away from their patrol vehicles to maintain communications with the dispatch center for exchanging information, requesting assistance, receiving orders or instructions, and responding to calls for service. **(M M M M) Compliance may be OBSERVED.**

**81.2.3** *A written directive establishes procedures for obtaining and recording relevant information of each request for service or self-initiated activity, to include:*

- a. *control number;*
- b. *date and time of request;*
- c. *name and address of complainant, if possible;*
- d. *type of incident reported;*
- e. *location of incident reported;*
- f. *identification of officer(s) assigned as primary and backup;*
- g. *time of dispatch;*
- h. *time of officer arrival;*
- i. *time of officer return to service; and*
- j. *disposition or status of reported incident.*

**Commentary:** A control "system" can be a card, log, or computer entry that permits a permanent record to be maintained. Such records permit the agency to establish a control system to ensure a comprehensive field-reporting program. This information should be recorded for all requests, including those received by telephone; letter; in person; self-initiated by officers; or reported to officers in the field.



The control number should be affixed to a communication center control record and the call disposition or result noted thereon. The number may serve as the basis for filing and retrieving subsequent reports of the incident, but it is indispensable for auditing the communications and records systems (see Chapter 82).

The procedures should encourage eliciting as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. This is particularly important in certain categories of calls, and checklists may be provided to obtain additional information, e.g., for bomb threats, crimes in progress. (M M M M)

**81.2.4** *A written directive establishes procedures for communications between field personnel and the communications center, to include:*

- a. *specifications of the methods and circumstances requiring communications by field personnel;*
- b. *the recording of the status of field personnel when out of service;*
- c. *the methods used for identifying field personnel during communications;*
- d. *communication with interacting agencies;*
- e. *criteria for the assignment of the number of field personnel in response to an incident;*
- f. *circumstances that require the presence of a patrol supervisor at the scene for the purpose of assuming command; and*
- g. *responding to a field personnel emergency request for assistance or activated emergency alarm.*

**Commentary:** Identification systems should be based on beat numbers or other assignment numbers, unit identification numbers, or a combination of the two. Operations are more efficient and field personnel safety is enhanced when telecommunicators, supervisors, and fellow officers know the status of field personnel, their locations, the nature of cases or calls for service, and the developments in their investigation. The administrative control "system" can be maintained on a card, log sheet, computer record, or any instrument that permits a permanent record to be retained. The response to emergency requests or activated emergency alarm criteria should relate to a list of critical factors, e.g., officer needs assistance, officer in trouble, felony in progress, life saving situation. The list should be available to all telecommunicators. (M M M M)

**81.2.5** *Communications personnel have immediate access to at least the following departmental resources:*

- a. *officer in charge;*
- b. *duty roster of all personnel;*
- c. *residential telephone number of every agency member;*
- d. *visual maps detailing the agency's service area;*
- e. *officer status indicators;*
- f. *written procedures and telephone numbers for procuring emergency and necessary external services to the agency; and*
- g. *tactical dispatching plans.*

**Commentary:** Communications personnel are often required to contact agency members both on and off duty. They should, therefore, have immediate access to such information as their working hours and residential telephone numbers.

Officer status indicators allow communications personnel to know the status of every officer under their control. All officers depend on the communications center to recognize when they may be in danger. By monitoring the officer status system, operators know where and how long each officer has been out on a call. When dispatching calls, operators also need to know which cars are available for service. A hand-written form updated by communications personnel would satisfy this standard.

Communications personnel also have the need to call other emergency service agencies, such as those pertaining to fire, rescue, ambulance, and animal control. They should have these and other telephone numbers immediately available by private line, telephone index, book, or other means that should expedite contacting the agencies.

Dispatching plans should include procedures to be followed in directing resources and obtaining information on crimes in progress, e.g., bank robbery, pursuits, and/or tactical operations. (M M M M)  
**Compliance may be OBSERVED.**

**81.2.6** *A written directive describes procedures to be followed by communications center personnel in responding to calls for information or services, to include the following:*

- a. *judging characteristics of the call to determine whether an emergency or nonemergency response is required; and*
- b. *informing the caller of the agency's response, including direct law enforcement service and/or referral to other agencies.*

**Commentary:** Communications center personnel are likely to receive calls requesting information or services and may well represent the first contact made with the agency. Written procedures should be available to communications center personnel regarding the proper handling of such calls.  
(M M M M)

**81.2.7** *A written directive describes procedures for communications personnel to respond to victim/witness requests for information and/or services to include initial and subsequent requests.*

**Commentary:** The intent of this standard is to ensure victim/witness callers receive timely and appropriate attention to their immediate needs, especially during non-business hours. See Chapter 55, especially standard 55.2.1. (M M M M)

**81.2.8** *The agency has the capability of immediate playback of recorded telephone and radio conversations while it maintains a continuous recording of radio transmissions and emergency telephone conversations within the communications center. A written directive establishes procedures for the following:*

- a. *a requirement that recordings be retained for a minimum period of thirty days;*
- b. *secure handling and storage for recordings; and*
- c. *criteria and procedures for reviewing recorded conversations.*

**Commentary:** These recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system. Access to secure recordings should be limited and available only through a specific procedural method.

The citizen requesting service or the officer wanting assistance may not be able to repeat an emergency conversation that was garbled or too quick for easy understanding. Therefore, the agency should have the capability to replay a conversation while recording other calls and radio transmissions.

The capability of continuous recordings can be provided with a parallel dual-load recorder.  
(M M M M)

**81.2.9** *If local, state, and federal criminal justice information systems exist, the agency participates and/or has access to such a system.*

**Commentary:** The effectiveness of investigative efforts depends heavily upon the quality of information resources. Agencies should have the equipment they need to gain access to information from nearby agencies, regional law enforcement information networks, statewide information resources, and the National Crime Information Center. Agencies outside the United States should access like systems, if available. If not available, this standard does not apply. (M M M M) **Compliance may be OBSERVED.**

**81.2.10** *If the agency utilizes alternative communications as a primary source such as cellular phones, voice-over internet protocol, or other emerging technologies, a written directive establishes criteria and procedures for their use.*

**Commentary:** Consideration should be given to documenting or recording and auditing the use of these technologies. (M M M M)

**81.2.11** *A written directive specifies criteria for accepting and delivering emergency messages.*

**Commentary:** Delivering emergency messages is a legitimate law enforcement function. However, guidelines should be established to define the types of messages to be accepted and delivered.  
(M M M M)

**81.2.12** *A written directive establishes procedures for prompt handling and appropriate routing of misdirected emergency calls.*

**Commentary:** It is common for one agency to receive emergency telephone calls intended for another law enforcement or public service agency. Agencies should accept any misdirected emergency call and promptly relay information to the agency having jurisdiction. (M M M M)

**81.2.13** *A written directive establishes procedures for monitoring and responding to private security alarms.*

**Commentary:** The agency should have a formal policy concerning monitoring commercial and private residential alarm systems. The agency should seek regulating legislation for the installation and maintenance of the various alarm systems. Such legislation should specify sanctions for excessive false alarms.

Care should be exercised in considering private home alarms that ring into department telephone lines. The agency's policy should also consider the availability of commercial alarm companies to service business alarms. (M M M M)

**81.2.14** *If the agency authorizes emergency first-aid instruction over the telephone or radio, employees must be trained and have immediate access to approved emergency medical guidelines or materials.*

**Commentary:** The training should be approved by a competent authority and should be designed to provide emergency life saving information to callers until emergency medical personnel arrive at the scene. Retraining should also be provided on a schedule approved by a competent authority. The material/guidelines and training should be complementary. (M M M M)

### **81.3 Facilities and Equipment**

**81.3.1** *Security measures for the communications center are in place to:*

- a. limit access to the communications center to authorized personnel;*
- b. protect equipment;*
- c. provide for back-up resources; and*
- d. provide security for transmission lines, antennas, and power sources.*

**Commentary:** The capability to maintain communications in all emergency situations dictates that security measures be implemented to protect communications personnel, facilities, and equipment. Protective measures may include locating the center and equipment in areas providing maximum security, installing bullet resistant glass in areas of public access, and restricting access to the communications center. Providing security for equipment may be done with a combination of security cameras, fences, or other measures based on the needs of the agency, location of the equipment, and operational considerations. (M M M M) **Compliance may be OBSERVED.**

**81.3.2** *The agency has an alternate source of electrical power that is sufficient to ensure continued operation of emergency communication equipment in the event of the failure of the primary power source. A documented inspection and test of the alternate power source is completed at least monthly, or in conformance with manufacturer recommendations, and tested or operated under full load at least once a year.*

**Commentary:** Disruptions in the primary power source frequently occur. The agency should ensure continuous emergency communications capability through an alternate power source. The readiness of the alternate equipment should be ensured by reasonable testing or self-testing of the technology employed. A documented observation of a self-testing generator's performance once a month will satisfy this requirement. (M M M M) **Compliance may be OBSERVED.**

**81.3.3** *The agency's telephone system is designed to separate emergency from nonemergency calls.*

**Commentary:** The potential for receiving a busy signal on an emergency line can be significantly reduced by routing incoming administrative and outgoing calls to a separate line or lines. Line separation may also free up communications personnel to handle emergencies and other important matters in a more efficient and effective manner. (O O O O) **Compliance may be OBSERVED.**

**81.3.4** *The agency has multichannel mobile and/or portable radio equipment capable of two-way operation on a joint public safety frequency or frequencies.*

**Commentary:** This communications capability among law enforcement and public service agencies, such as fire departments, ambulance services, public utilities, etc., is necessary to provide proper coordination and deployment of forces in times of emergencies. The capability may range from simple car-to-car arrangements to interagency and statewide networks. (O O M M) **Compliance may be OBSERVED.**

## CENTRAL RECORDS

The central records function is important to the effective delivery of law enforcement services. In this chapter, the standards address those central records functions that are basic to meeting the management, operational, and information needs of the agency. The standards are principally concerned with the administration, field-reporting, and central records activities and do not address the secondary records activities attendant to functions or components within the agency which are addressed in other chapters. The authorized dissemination of central records information is often governed by law.

### 82.1 Administration

**82.1.1** *A written directive establishes privacy and security precautions for the agency's central records and, at a minimum, includes the following:*

- a. *security of and controlling access to agency files;*
- b. *accessibility to operations personnel after hours; and*
- c. *procedures and criteria for the release of agency records.*

**Commentary:** The privacy and security precautions for the central records function should be in accordance with agency policy, local ordinance, and/or state or provincial statutes.

Dissemination of all records should meet the legal requirements that apply in the agency's jurisdiction. The agency should determine the physical security requirements for the facility and decide who is authorized to access agency files. Facility and file security ensure the integrity of the system and the information it contains.

In some agencies the accessibility of records during evening and early morning hours becomes problematic. In these instances, specific persons working or available through call-in should be given authority to physically access central records information or have access through computer technology, when available (see standard 74.1.1). (M M M M)

**82.1.2** *A written directive establishes guidelines for collecting, disseminating, and retaining juvenile records, to include:*

- a. *methods to distinguish juvenile records;*
- b. *fingerprints, photographs, and other forms of identification;*
- c. *physical security and controlling access to juvenile confidential information;*
- d. *disposition of juvenile records after reaching adult age; and*
- e. *expungement, when ordered by the court.*

**Commentary:** The privacy and security precautions for juvenile records should be in accordance with agency policy, local ordinance, and/or state or provincial statutes. The agency specifically identifies juvenile criminal and identification records from adult criminal records to prevent unauthorized access and release. This identification may include: specially marked index cards; computer files that are marked for restricted access; or separated files. Dissemination of juvenile information should meet the legal requirements that apply in certain jurisdictions. The procedures should also provide guidelines for the disposition of juvenile records when the juvenile reaches adult age and for the expungement of records when ordered by the court. The agency should determine the physical security requirements for the juvenile files and decide who has authorized access. (M M M M)

**82.1.3** *The agency has a records retention schedule.*

**Commentary:** The schedule for retaining records should be consistent with legal requirements (see standard 82.1.6). (O O O O)

**82.1.4** *A written directive establishes procedures for collecting and submitting crime data to a national uniform crime reporting program or national incident-based reporting system, or state system if one exists.*

**Commentary:** Participation in a national Uniform Crime Reporting (UCR) or National Incident Based Reporting System (NIBRS) program helps promote the development of good record keeping and aids in the effort to establish a national data base of crime statistics. The standard should be satisfied if the agency reports data to a state or provincial system for subsequent inclusion in the national system. (O O O O)

**82.1.5** *The agency establishes a procedure to account for the status of reports, to include the complaint control recording and field-reporting systems.*

**Commentary:** The procedure should ensure that the original report copy is maintained in the records component and that follow-up reports are prepared on a specified schedule, usually ten days. The procedure should also ensure that the correct control number is assigned and accounted for. (M M M M)

**82.1.6** *The agency has a process for maintaining security of central records computer systems, to include:*

- a. *data back-up;*
- b. *storage;*
- c. *access security; and*
- d. *password audits, at least annually.*

**Commentary:** The integrity of a computer system is only as good as the security system in place. Computer files should be backed up according to a regular schedule and comply with record retention laws or regulations, as they exist. The media, tapes, disks, or drives should be stored off-site in a secure facility or area. If used media is not recycled, methods of destruction should be determined to ensure that data is not retrievable from the discarded media (see standard 82.1.3). A regular check of pass-

words, access codes, and other security devices will maintain the integrity of the records system. A security system to prevent unauthorized access may be maintained by another government entity. Automated systems for verifying passwords and access security will satisfy the requirement of this standard. (M M M M)

**82.1.7** *If criminal history records are computerized, a written directive establishes security protocol for access and release of records.*

**Commentary:** None. (M M M M)

## **82.2 Field Reporting and Management**

**82.2.1** *A written directive establishes a field-reporting system, to include:*

- a. guidelines to indicate when reports must be written;*
- b. forms to be used in field reporting;*
- c. information required in field reports;*
- d. procedures to be followed in completing field reports; and*
- e. procedures for submitting, processing, and supervisory review of field reports.*

**Commentary:** This directive may be in the form of a field-reporting manual that describes and illustrates the information to be included on report forms. The document should be all-inclusive and serve as the complete user's guide, as well as a resource guide in all field-reporting situations.

A suggested set of field-reporting forms would include the following: offense report; supplemental report; traffic accident report; arrest report; property report; prosecution report; and complaint control and miscellaneous incident report. The forms may be more specialized than those listed, e.g., crimes against persons, crimes against property. The forms may also be consolidated to serve the purposes identified in the standard. The complaint control and miscellaneous incident report can be initiated by dispatchers and may serve as a control document and/or as the full report of a miscellaneous incident.

The agency should adopt a set of forms to standardize field reporting and structure them to ensure that basic information is captured for all crimes and incidents. Samples of the forms should be included, with clear instructions for filling out and submitting the field reports.

Supervisory review should be required as the first step in the submission process, and the form should be designed for the signature or initials of the reviewing supervisor. Typically, supervisory review is a function of the first line supervisor and is intended to ensure that the assignment has been satisfactorily completed and reported consistent with the field-reporting system.

If the agency is using a computerized system, the guide should address procedures for use.

(M M M M)

**82.2.2** *A written directive requires the reporting of every incident in one or more of the following categories if the incident is alleged to have occurred in the agency's service area:*

- a. citizen reports of crimes;*
- b. citizen complaints;*



- c. incidents resulting in an employee being dispatched or assigned;
- d. criminal and noncriminal cases initiated by law enforcement employees; and
- e. incidents involving arrests, citations, or summonses.

**Commentary:** The purpose of this standard is to require a comprehensive reporting system. A record should be made of actions taken by law enforcement personnel whether in response to a request for service or for self-initiated actions. If two or more persons report the same incident, only one case report should be required.

The directive should establish procedures to ensure that proper action is taken to investigate complaints, evaluate suggestions, and correct deficiencies or refer them to proper authorities for correction. The person making the complaint or suggestion should be notified of the action taken. This may be contained in the agency's general field-reporting document. (M M M M)

**82.2.3** *A written directive establishes a case-numbering system, with provisions for the assignment of a unique number to every case.*

**Commentary:** A single numbering series (case or incident number) should be employed for all incidents of law enforcement service, including traffic collision investigations, criminal investigations, and miscellaneous calls for law enforcement service. Some activities, such as the issuance of traffic citations, need not be recorded as numbered cases; the citation form itself serves as the report. The numbering system should be designed to ensure that all cases receive a number, that no numbers are omitted, and that no numbers are duplicated. (M M M M)

**82.2.4** *A written directive establishes procedures for the distribution of reports and records.*

**Commentary:** The directive should specify which types of reports should be routed to the various specialized functions or organizational components for follow-up, and those to be distributed outside the agency. Central records should be the main repository for reports completed by all agency components. (O O O O)

**82.2.5** *If the agency has a system for receiving specified crime and incident report information by telephone, mail, Internet, and/or other emerging technologies in lieu of on-scene response, a written directive specifies the criteria for acceptance.*

**Commentary:** The intent of this standard is to improve the use of patrol time. Some crime calls do not require the dispatch of a patrol officer and can be effectively handled by receiving information in an alternative manner. Consideration should be given to developing a list of call types that can be dealt with in an alternative manner. (M M M M)

## **82.3 Records**

**82.3.1** *The agency maintains an alphabetical master name index.*

**Commentary:** A master name index is a file that includes the names of persons identified in field reports. The index may be manual or automated and should serve as a cross-reference to all documents in which a person has been named. Criteria for including names in the index should be developed based

on legal requirements and needs. Typically, agencies include names of victims, complainants, suspects, persons arrested, and in some cases, witnesses. Consideration should be given to persons involved in traffic accidents. (M M M M)

**82.3.2** *The agency maintains records to include, at a minimum:*

- a. *service calls and crimes by type;*
- b. *service calls and crimes by location; and*
- c. *stolen, found, recovered, and evidentiary property files.*

**Commentary:** Records provide information on experience relative to categories of activity. The agency should identify those activities constituting the prevalent activity for categorization, usually UCR Part I offenses and principal offenses in the Part II category or NIBRS classifications.

Records facilitate measuring caseloads relative to geographic distribution.

Common practice is to maintain one property file by the type of property involved and a separate property file using serial numbers. It is highly desirable to have serial numbers of stolen and recovered property sequenced to facilitate comparison.

These records may be manual and/or automated. (O O O O)

**82.3.3** *The agency has a traffic records system or access to a comparable system containing:*

- a. *traffic collision data;*
- b. *traffic enforcement data; and*
- c. *roadway hazard information.*

**Commentary:** The traffic records system should provide accurate information to field personnel who are performing primary traffic functions. It should also provide compilations of data upon which management decisions may be based. Some of the required data may be collected and disseminated by other state, provincial, or local agencies.

The records file should contain the locations of all traffic collisions and citations to provide a ready reference for collision/enforcement data related to specific intersections or segments of highways.

Ancillary information, such as traffic safety reports, traffic volume data, and traffic distribution reports, may also be kept in the records system. (N/A O M M)

**82.3.4** *A written directive establishes procedures for maintaining records of traffic citations, to include:*

- a. *issuing citation forms to officers;*
- b. *accounting for citations; and*
- c. *storing citations in a secure area.*

**Commentary:** Issuing and accounting for traffic citations should be rigidly controlled. Copies of citations issued by officers should be filed in agency records. Issuing, accounting, and storing of citations may be accomplished by electronic means. (M M M M)

**82.3.5** *A written directive specifies those records to be maintained in agency operational components.*

**Commentary:** It is not the intent of this standard to require dual record keeping so long as data are readily available to personnel in the agency. The central records function may decentralize some of its record-keeping responsibility.

The directive should specify the types of records and the retention schedule for records maintained in operational units. For example, criminal investigators should maintain case files on active cases being investigated, to be transferred to the records center when inactivated. Similarly, traffic records may be maintained by patrol or a specialized traffic component. Intelligence, vice, drug, and organized crime control units may be permitted to maintain records independently for additional security and control. (N/A O O O)

**82.3.6** *The agency has a system for assigning an identification number and maintaining a criminal history file for each person custodial arrested.*

**Commentary:** An identification number is a person-oriented number and is assigned to a specific person. Once a person has been assigned an identification number, all subsequent arrests and information concerning that person should be referenced to his or her identification number. Each person who has been arrested should have only one identification number, although the individual may have been arrested on a number of different occasions and thus have different case and arrest numbers relating to them. The system should include a procedure ensuring that identification numbers are not duplicated or skipped.

The criminal history file is often referred to as an identification file and should include the following documents: fingerprint card, criminal history transcripts (state and federal), photograph (if available), and copy of arrest report. The file may be sequenced by identification number. The criminal history transcripts may be excluded from agency files if they are immediately accessible through state or federal information systems. It is not necessary to have all the documents in one file so long as cross-references point to the location of each document. (M M M M)

## COLLECTION AND PRESERVATION OF EVIDENCE

The effective exercise of law enforcement responsibility in the investigation of crime and in the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods. There is no practical alternative. Research has shown clearly that physical evidence must be identified, collected, and preserved properly, and transmitted to the laboratory promptly if laboratory support resources are to be used effectively.

### 83.1 Administration

**83.1.1** *Qualified personnel are available on 24-hour basis to process a crime scene/traffic collision.*

**Commentary:** If a crime/collision has occurred and involves the prompt collection and preservation of physical evidence, 24-hour crime scene processing capability should be available. When the immediate services of a crime scene processor are required, personnel with these skills should be notified as soon as possible. In many cases, the implementation or continuation of the investigative process should await completion of certain aspects of the crime scene processor's work. Therefore, it is important that the processor be notified to coordinate their arrival at the scene and to provide instructions to on-scene personnel on how to proceed until they arrive. Smaller departments may have skilled personnel on call or may have arranged to acquire such personnel from another agency. (M M M M)

### 83.2 Operations

**83.2.1** *A written directive establishes guidelines and procedures used for collecting, processing, and preserving physical evidence in the field, and includes the documented transfer of custody of physical evidence, while in the field.*

**Commentary:** The agency should develop general guidelines for its approach to crime scene processing. For example, the first rule may be to secure and protect the crime scene. Agency policy should dictate whether processing is to be conducted by field personnel or specialists. Processing procedures should determine the progression of tasks, such as photograph, sketch, fingerprint, mark, and collect.

The directive should also provide guidelines for the preferred methods of collecting, marking/labeling, and packaging/storing a variety of evidentiary items. Methods used are those that should preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible and practical.

For physical evidence to be accepted by the court at time of trial, it is essential that the chain of evidence be maintained. The initial step in this process is marking or labeling the item at the time it is collected, seized, or received. Items should be marked so as not to damage or contaminate the evidence. Items that cannot be marked should be placed in an appropriate container, sealed, and the container labeled.

Vehicles used for processing crime scenes should have equipment to recover fingerprints, take photographs, sketch the crime scene, and collect and preserve evidence.

For all items of evidence gathered at a crime scene, the investigator and/or processor should prepare a list containing a description of the item collected (including make, model, and serial number, if any), the source (person or location obtained from), and the name of the person collecting the item. The inventory is essential to the investigator and the processor for recording activities at the scene and qualifying the evidence at the time of trial.

If the evidence is transferred to another person prior to being logged in with the agency, documenting the transfer is critical to maintaining the chain of custody. The record of transfer of physical evidence should include the following: date and time of transfer; receiving person's name and functional responsibility; reason for the transfer; name and location of the laboratory; synopsis of the event; examinations desired; and date of transfer to a laboratory not within the agency. This standard applies to all persons, functions, and components responsible for collecting evidence. (M M M M)

**83.2.2** *A written directive governs procedures used for photography, both conventional and digital, and videotaping pursuant to the collection and preservation of evidence. The directive specifies the information to be recorded when these methods are used.*

**Commentary:** Photographs and/or videotapes are critically important as evidence. Preferably, they should be taken by personnel trained in photography and video procedures. The directive should specify the information to be recorded when photographs and videotapes are taken, as well as the procedure for their storage, in order to be qualified in the future as competent evidence. Procedures should be consistent with applicable statutory and case law. (M M M M)

**83.2.3** *A written directive governs the procedures for processing, developing, lifting, and labeling all fingerprints pursuant to the collection and preservation of evidence.*

**Commentary:** The directive should address the handling of fingerprints taken from known individuals, as well as the processing of latent fingerprints. Procedures for the proper handling, identification, labeling, and storage of known and latent prints should be described. The methods should be consistent with statutory and case law. (M M M M)

**83.2.4** *The agency provides or has access to personnel, equipment, and supplies used for processing scenes for the following purpose:*

- a. *recovery of latent fingerprints;*
- b. *photography;*
- c. *sketch of the scene; and*
- d. *collection and preservation of physical evidence.*

**Commentary:** In some jurisdictions where crime scene processors are required to go from one crime scene to another without the opportunity to return to a central point to replenish equipment and supplies, a specially built and equipped vehicle should be used, e.g., one having a portable power generator, ladder, and lights. Patrol officers and investigators who are appropriately trained may carry equipment in their vehicles for scene processing. It is important, however, that those who process the scene are equipped with necessary equipment to allow effective and timely processing of the scene. (M M M M)

**83.2.5** *A written directive establishes procedures for the seizure of computer equipment and other devices capable of storing data in an electronic format.*

**Commentary:** Devices capable of storing data are extremely sensitive to electrostatic discharge. Improper handling may cause damage to the device rendering it useless. Methods of collection and transportation of all types of storage media, powered or not, should be established. Simply powering a data storage device on or off can overwrite significant amounts of data causing the integrity of the potential evidence to be lost. All extraction and analysis of data stored on a device seized as evidence should be performed by persons that have received training in data forensics, and are familiar with the proper legal precedent for seizure of such evidence. (M M M M)

**83.2.6** *A written directive governs the preparation of a report by the person who processes a crime/traffic collision scene.*

**Commentary:** An accurate record of events that transpire at the scene in connection with the investigation is required at the time of trial. The directive may require such elements as the following to be included in the report: date and time of arrival at the scene; location of the crime; name of the victims, if known; name of suspect, if known; action taken at the scene, including the number of photographs taken, and whether measurements were made (yes or no); list of physical evidence recovered; and case file reference number.

Other information that should be included when a crime scene processor is involved is the date and time a request for service was received, the name of the investigating officer, the disposition of the physical evidence and exposed negatives, and crime scene measurement information. (M M M M)

**83.2.7** *The agency has DNA evidence collection capabilities and written directives, which include:*

- a. *first responder responsibilities and precautions;*
- b. *procedures for the collection, storage, and transportation of DNA evidence;*
- c. *DNA evidence collection training requirements for persons collecting evidence; and*
- d. *procedures for the submission of DNA evidence to accredited laboratories.*

**Commentary:** ADNA (deoxyribonucleic acid) match is a major factor in solving cases where the identity of the offender is not known. The development of matching DNA has made a major impact on law enforcement and improvements in technology continue to advance this means of identification even with very small or old samples. For maximum success, law enforcement agencies must ensure that agency personnel have a good understanding of where DNA can be found, how to avoid contamination

and preserve fragile DNA evidence. Agency personnel that specialize in evidence collection should have special training in collecting and preserving DNA samples for analysis.

DNA samples should only be submitted to laboratories that are accredited for law enforcement DNA analysis. In the United States, only labs accredited by either the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or the National Forensic Science Technology Center (NFSTC) can perform DNA analysis for submission to the national DNA database, or NDIS (National DNA Indexing System) administered by the FBI. In Canada, all DNA evidence should be sent to the Ontario Center of Forensic Science (CFS) for processing and submission to the National DNA Databank administered by the Royal Canadian Mounted Police (RCMP) in Ottawa.

(M M M M)

### 83.3 Evidence Handling

**83.3.1** *A written directive requires that materials and substances be collected from a known source, whenever available, for submission to the laboratory for comparison with physical evidence collected.*

**Commentary:** A significant degree of the value of laboratory examinations concerns the identification of substances and comparison of these with materials from known sources. This is true especially in the case of the study of hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks. The location from which samples from a known source are taken is critical where fractures have occurred, such as in the case of glass, wood, paint, and metal. (M M M M)

**83.3.2** *A written directive establishes procedures for submitting evidence to a forensic laboratory, which include:*

- a. *identification of the person responsible for submitting the evidence;*
- b. *methods for packaging and transmitting evidence to the laboratory;*
- c. *types of documentation to accompany evidence when transmitted;*
- d. *receipts to ensure maintenance of chain of evidence; and*
- e. *stipulation that laboratory results be submitted in writing.*

**Commentary:** The written directive should specify procedures for submission of perishable evidence to the forensic laboratory, such as fresh blood, blood stained objects, other physiological stains and tissue, and biological materials. Large and bulky items, firearms, drugs, and other items should be prepared in a uniform manner that is consistent with the requirements of the receiving laboratory.

The responsibility for requesting laboratory examinations and preparing and transmitting the evidence to the laboratory should be defined. Guidelines for the types and preparation of transmittal documents should be described. Chain of custody should be carefully maintained.

Verbal reports from the laboratory may be accepted, but the agency should insist these be followed up by a written report. When the laboratory is part of the agency, the directive should specify that written reports of findings are provided. When a laboratory is not part of the agency, a transmittal letter or written request, as a part of the evidence transmittal form should be used to request a written report of laboratory findings. (M M M M)

## PROPERTY AND EVIDENCE CONTROL

The property and evidence control function should provide for the security and control of seized, recovered, and evidentiary property as well as abandoned, lost, or found property in the custody of the agency. This is critically important in supporting investigations, in helping to guarantee successful prosecution at criminal/civil trials, in facilitating the timely return of property to its rightful owners, and in establishing the agency's reputation as an honest, reputable agency worthy of the public's confidence and trust.

It is critical that a law enforcement agency's property and evidence control function develop and maintain strict measures for the receipt, handling, security, and disposition of property.

### 84.1 Administration and Operations

**84.1.1** *A written directive establishes procedures for receiving all in-custody and evidentiary property obtained by employees into agency control, to include:*

- a. requiring all property to be logged into agency records before the officer ends his/her tour of duty or under exceptional circumstances as defined by policy;*
- b. requiring all property to be placed under the control of the property and evidence control function before the officer ends his/her tour of duty or under exceptional circumstances as defined by policy;*
- c. requiring a written report detailing the circumstances by which the property came into the agency's possession and describing each item of property obtained;*
- d. providing guidelines for packaging and labeling property prior to storage;*
- e. establishing extra security measures for handling exceptional, valuable, or sensitive items of property;*
- f. requiring an effort to identify and notify the owner or custodian of property in the agency's custody; and*
- g. establishing procedures for the temporary and final release of property items from the control of the property and evidence function.*

**Commentary:** The agency should not lose sight of its responsibility to protect all property coming into its control and custody or of its ongoing obligation, in some situations, to maintain an uninterrupted chain of custody. The agency should establish specific controls and ensure strict adherence to all of its policies and procedures governing in-custody and evidentiary property. This should protect both the officer and the agency.



All employees should complete a descriptive inventory of every item of property coming into their possession as a result of their official duties and responsibilities as soon as practical. Initially, every item of property obtained by an employee during a shift should be placed under the control of the property and evidence function prior to shift's end. This should allow the property to be officially inventoried and recorded in the agency's records in a timely manner. The agency may authorize exceptions to these procedures; however, supervisory approval should be obtained and a descriptive inventory should be accomplished verbally or through other electronic means if distance is a factor.

The property should be entered into storage in a uniform manner. Methods for preparing, labeling, and recording property should be established. Responsibility for these tasks may be assigned.

Extra security measures for handling and receiving should be taken when, from whatever source, items are considered to be sensitive, high in value, or otherwise constituting an increased security risk. Guidelines are provided for handling items such as money, firearms and weapons, blood and other body fluids, and drugs. Drugs should be packaged in tamper-proof protective packaging whenever they are received by, released by, or returned to the property custodian. The intent of this packaging system is to ensure that the property custodian does not have to open a submitted drug package for the purpose of verifying contents whenever the package leaves the property section for court, crime lab, or other authorized purposes. All containers and packages should be inspected for tampering as a safeguard against substitution. These procedures need to conform to OSHA (Occupational Safety and Health Administration) standards.

Written reports should be submitted, listing the property obtained and detailing the circumstances associated with the custody. Case numbers may be used to cross-reference the property.

Once the property has been officially placed under the agency's control, a procedure for removing the property for further investigation, court, release, or other official purpose should be established. A written document ensures accountability and/or uninterrupted chain of custody until final disposition. Employees should be prohibited, at all times, from storing property in their personal desks, lockers, vehicles, homes, or other places that are not secure or would interrupt the chain of custody. Personal use of any property should also be strictly prohibited.

A reasonable attempt should be made to locate owners of property in the custody of the agency and notify them of its status. If possible, release back to the owner should be effected as expeditiously as is consistent with applicable law. (MMMM)

**84.1.2** *All in-custody and evidentiary property is stored within designated, secure areas with access limited to authorized personnel.*

**Commentary:** Administrative and physical security procedures are mandatory to ensure that all property taken into custody and stored by the agency in any manner is properly controlled and protected while in agency custody. Entry to property areas should be controlled to prevent the alteration, unauthorized removal, theft, or other compromise of property stored by the agency and to maintain chain of custody.

Some items of in-custody property, by their very nature, require extra protection, security, and handling precautions. Items such as money, precious metals, jewelry, firearms, and drugs are some that should be considered. The agency may set its own guidelines and determine the degree of extra security required. Providing locked containers, such as vaults, lockers, or interior rooms, should satisfy the requirements of the standard. Further restrictions on access to certain areas also enhance security precautions. It is not necessary, however, for each type of item to have its own separate secure area.

The agency should have access to secure refrigerated storage for perishable items, such as blood and urine specimens. If the agency maintains a lockable refrigerator on its premises for this purpose, use should be restricted to in-custody property and evidence.

In addition to the general property room(s) or facilities, the agency needs to provide secure storage for large items such as vehicles, bicycles, appliances, and the like. Special areas and/or procedures should be provided. External areas, such as impoundment lots, are vulnerable. When assessing the degree of security to provide, the agency should weigh the importance of the property it is placing in these areas and the consequences if the property is stolen, damaged, or contaminated while in-custody.

**(M M M M) Compliance may be OBSERVED.**

**84.1.3** *Secure facilities are provided for storage of in-custody or evidentiary property during periods when the property room is closed.*

**Commentary:** Provisions should be made for securing items of property when the property room is closed. Several methods can be followed to achieve this objective, such as installation and use of one-way drop boxes, lockers, and specially designed containers. **(M M M M) Compliance may be OBSERVED.**

**84.1.4** *A written directive establishes procedures to ensure security and accountability for controlled substances, weapons, or explosives used for investigative or training purposes.*

**Commentary:** Some agencies may choose to utilize seized or forfeited controlled substances, weapons, or explosives for investigative or training purposes. It is critical that the agency establish safeguards to maintain security and integrity of these items. The agency should establish guidelines for the periodic accounting of any item utilized in this manner. **(M M M M)**

**84.1.5** *Records reflect the status of all property held by the agency.*

**Commentary:** Fundamental to the operation of the property room is a records system that reflects the location of the property; date and time when the property was received or released; character, type, and amount of property on hand; and chain of custody from the time the property was stored until its destruction or other final disposition. Many agencies have successfully installed a "bar coding" system for property management. **(M M M M)**

**84.1.6** *In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, the following documented inspections, inventory, and audits shall be completed:*

- a. *an inspection to determine adherence to procedures used for the control of property is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee;*
- b. *an inventory of property occurs whenever the property and evidence custodian is assigned to and/or transferred from the position and is conducted jointly by the newly designated property and evidence custodian and a designee of the CEO to ensure that records are correct and properly annotated;*
- c. *an annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence; and*
- d. *unannounced inspections of property storage areas are conducted, as directed by the agency's chief executive officer, at least once a year.*

**Commentary:** The purpose of this standard is to ensure the integrity of the in-custody property and evidence storage system. The inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.


The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property. The inventory should be sufficient to ensure the integrity of the system and the accountability of the property. During the joint inventory, all high risk items, e.g., money, precious metals, jewelry, firearms, and drugs, and a sufficient number of property records relative to the number of property and evidence items under the agency's care should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.

The annual audit should be a significant representative sampling of property including high-risk items. The person named to conduct the audit should be appointed by the agency's chief executive officer. Under no circumstances should that inspector be appointed by supervisory or command officers having the property function under their control.

The unannounced inspection is not meant to be a time consuming task. It can be as simple as the chief executive officer, or their designee, entering the property and evidence areas and inspecting for cleanliness, orderliness and tracing a few pieces of property and evidence to assure they are in the proper place as stated in the area's records. (M M M M)

**84.1.7** *Final disposition of found, recovered, and evidentiary property is accomplished within six months after legal requirements have been satisfied.*

**Commentary:** Prompt, authorized property removal (final disposition/destruction) prevents an overload on the property management system and reduces the requirement for additional storage space. Also, the lack of prompt disposition procedures further deprives owners of the use of their property.



Law enforcement agencies should establish procedures for the prompt photographing and return of property to victims, with the prosecutor's approval. (OOOO)

**84.1.8** *All property acquired through the civil process function or asset forfeiture proceedings are accounted for in agency records and is disposed of by the agency pursuant to legal authority.*

**Commentary:** Federal laws, and in most cases, state and provincial laws regulating the seizure and disposition of property forfeited should be incorporated into the agency's procedures. (MMMM)

# 41

## PATROL

Standards in this chapter relate to the administration, operation, and equipment of the patrol function of a law enforcement agency.

The word “patrol” is used here in its broadest sense. It is considered to be a primary law enforcement function and embraces much more than the act of patrolling. It is defined as a generalized function in which officers may be engaged in a variety of activities which can range from traditional response to requests for service to alternate strategies for the delivery of police services.

### 41.1 Administration

**41.1.1** *The agency has a written directive which describes:*

- a. *provisions for continuous patrol coverage;*
- b. *assignment to patrol shifts;*
- c. *frequency of shift rotation, if any;*
- d. *assignment to service areas, if any;*
- e. *frequency of service area rotation, if any; and*
- f. *determination of days off.*

**Commentary:** This standard does not require 24-hour preventive patrol, nor does it limit the flexibility of the agency to assign personnel to community-based initiatives. Rather, the intent of this standard is to ensure that on-duty personnel are available to respond for police service or, at a minimum, includes provisions for concurrent jurisdictional coverage in the event that the agency cannot provide 24-hour coverage. As a consequence, a method for assigning available officers to shifts, service areas, and days off should be developed and followed consistently. A uniform procedure helps to ensure impartiality in the process. However, agency management should retain the final authority to assign officers to shifts and service areas in order to provide effective coverage, ensure accountability, and achieve organizational goals and objectives. (MMMM)

**41.1.2** *A written directive describes the agency’s method for shift briefing.*

**Commentary:** Shift briefing can accomplish the following basic tasks: briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations, potential and actual police hazards, changes in the status of wanted persons, stolen vehicles, major investigations, and information regarding relevant community-based initiatives; notifying officers of changes in schedules and assignments; and notifying officers of new directives or changes in directives. If officers do not report for

duty to a facility, e.g., resident state troopers, duty sheriffs, some form of pre-shift contact or briefing should be accomplished by other means. (M M M M)

**41.1.3** *A written directive governs the operation of agency-owned or controlled special-purpose vehicles, and includes the following provisions for each kind of vehicle:*

- a. *authorization, conditions, and limitations of usage;*
- b. *qualifications and training for personnel assigned to operate the vehicle;*
- c. *designation of the person or position responsible for the condition and maintenance of the vehicle; and*
- d. *a listing of equipment, if any, to be kept in or on the vehicle.*

**Commentary:** For the purpose of this standard, a special purpose vehicle is a vehicle that requires special training or authorization for deployment. This includes, but is not limited to, SWAT trucks, bomb disposal vehicles, mobile command posts, aircraft, watercraft, and motorcycles. Bicycles, all-terrain vehicles, snowmobiles, and Segways may fall under the definition of a special purpose vehicle if the agency or law requires licensing or training prior to use. (M M M M)

**41.1.4** *A written directive governs agency-owned or controlled animals(s), and includes the following provisions for each kind of animal:*

- a. *authorization, conditions, and limitations on usage;*
- b. *qualifications and training for personnel assigned to control the animal(s);*
- c. *designation of the person or position responsible for the care of the animal(s); and*
- d. *a listing of equipment required for each type of animal.*

**Commentary:** None. (M M M M)

## **41.2 Operations**

**41.2.1** *A written directive establishes procedures for responding to routine and emergency calls, and includes guidelines for the use of authorized emergency equipment.*

**Commentary:** At a minimum, the agency should classify calls for service as routine or emergency. These classifications should designate when emergency lights and siren should be used and when traffic laws should be observed. The directive should address high-speed driving conditions and restrictions when responding to emergency calls. The procedure should also address the responsibility of responding officers, dispatchers, and supervisors while responding to emergency calls. Guidelines for emergency equipment use during routine activities, such as stopping traffic violators, assisting motorists, and parking on/off roadways, may be included (see standard 61.1.7). (M M M M)

**41.2.2** *A written directive governs pursuit of motor vehicles, to include:*

- a. *evaluating the circumstances;*
- b. *initiating officer's responsibilities;*
- c. *designating secondary unit's responsibilities;*

- d. *specifying roles and restrictions pertinent to marked, unmarked, or other types of police vehicle involvement in the pursuit;*
- e. *assigning dispatcher's responsibilities;*
- f. *describing supervisor's responsibilities;*
- g. *specifying when to terminate pursuit;*
- h. *engaging in inter and intrajurisdictional pursuits involving personnel from the agency and/or other jurisdictions;*
- i. *requiring a written report and an administrative review of each pursuit; and*
- j. *conducting an annual, documented analysis of those reports.*

**Commentary:** The agency should have clear-cut policies and procedures for pursuits. All sworn personnel should be provided with this written directive. Agencies may wish to consider frequent discussion and review of these policies/procedures during shift briefings and/or in-service training sessions.

A review of incidents involving vehicle pursuits may reveal patterns or trends that indicate training needs and/or policy modifications. (M M M M)

**41.2.3** *A written directive addresses roadblocks and forcible stopping, to include:*

- a. *describing circumstances warranting their use;*
- b. *specifying procedures for implementation;*
- c. *requiring training in the use of agency-authorized roadblocks and forcible stopping techniques;*
- d. *defining supervisory responsibilities; and*
- e. *requiring a written report and an administrative review of each such incident.*

**Commentary:** The extreme dangers inherent in the use of roadblocks and forcible stopping mandate guidelines for their use. The directive should specify the types of roadblocks or forcible stopping techniques authorized for use, e.g., moving, fixed, circle system, roadway barriers, "road spikes," pursuit interruption techniques, and the circumstances justifying their use, e.g., to stop a fleeing felon. Standard 1.3.2 is cross-referenced to this standard. Compliance with bullet e can be shown if the use of a roadblock or forcible stopping technique was reported and reviewed as part of pursuit pursuant to Standard 41.2.2, bullet (j). (M M M M)

**41.2.4** *A written directive specifies the circumstances and establishes procedures for first responder notifications in emergency situations.*

**Commentary:** Agency procedures should address notification by first responder units of such agencies or persons as are appropriate to the situation. This could include, but would not necessarily be limited to, notification of police supervisory personnel, emergency medical services, fire service, the medical examiner/coroner, street/highway department personnel, public utilities personnel, and the news media. (M M M M)

**41.2.5** *A written directive provides procedures for reporting and investigating adult missing persons which include, at a minimum:*

- a. initial description and information to be gathered;*
- b. dissemination of collected information;*
- c. entry and removal of the information in the appropriate criminal justice information system;*
- d. follow-up contact with the reporting persons;*
- e. follow-up investigation and search; and*
- f. any special considerations applicable to critically missing or at-risk persons.*

**Commentary:** None. (M M M M)

**41.2.6** *The agency has a written directive concerning missing children, including runaway, abandonment, abducted, or other missing status, that includes the following:*

- a. a policy statement concerning missing or unidentified children;*
- b. criteria for supervisory notification;*
- c. information required for immediate notification of appropriate inter- and intra-agency coordination;*
- d. criteria for activation of AMBER Alert Systems or other public notification;*
- e. responsibilities of call takers, first responders, supervisors, and investigators; and*
- f. follow-up responsibilities.*

**Commentary:** The directive should consider the notification of appropriate agencies and their responsibilities for inter- and intra-agency support, such as federal law enforcement, social services, and the media. Systematic searches are common features of missing child investigations.

The National Child Search Assistance Act of 1990 mandates law enforcement's immediate response to reports of missing children, and the prompt entry of descriptive information into the NCIC missing persons file.

Agencies should insure that they include the use of the local or statewide America's Missing Broadcast Emergency Response (AMBER) Plan (or their jurisdiction's version of this plan) in their procedures for responding to children who are victims of non-family abductions.

Proper recovery and case closure may need to involve more than just notifying proper authorities and clearing NCIC entries. Based upon post-recovery interviews with the victims, additional investigation could lead to the discovery of further serious offenses committed, or permitted by adults, associated with the missing children.

Detailed information and recommended policies and procedures are available from the National Center for Missing & Exploited Children, the IACP National Law Enforcement Policy Center, and the International Center for Missing & Exploited Children. (M M M M)

**41.2.7** *The agency has a written directive regarding the interaction of agency personnel with persons suspected of suffering from mental illness that addresses:*



- a. *guidelines for the recognition of persons suffering from mental illness;*
- b. *procedures for accessing available community mental health resources;*
- c. *specific guidelines for sworn officers to follow in dealing with persons they suspect are mentally ill during contacts on the street, as well as during interviews and interrogations;*
- d. *documented entry level training of agency personnel; and*
- e. *documented refresher training at least every three years.*

**Commentary:** The intent of this standard is to require that the agency provide guidance to its personnel in dealing with persons suspected of being mentally ill. While the most serious consequences of officer interactions with the mentally ill are altercations or armed confrontations, other agency personnel who may come in contact with the public need guidance and training in dealing with the mentally ill.

Agency directives should be developed in collaboration with mental health professionals, who can train or assist the agency with training. Training should include access to the court system and applicable case law. The training should be reviewed and/or updated at least every three years. This training may be addressed for officers in the required use of force training (standard 1.3.11) or annual training (standard 33.5.1) and for all personnel during shift training (standard 33.5.2), or other in-service program.

This directive should be cross-referenced with the agency's directives addressing detainee transportation (Chapter 70) and regarding receiving screening information (standard 72.6.3).

Alternatives to arrest (standard 1.2.6) should be considered to ensure the best treatment options are used and to keep those with mental illness out of the criminal justice system. (M M M M)

### **41.3 Equipment**

**41.3.1** *Vehicles used in routine or general patrol service, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and a siren.*

**Commentary:** Conspicuously marked patrol cars are readily identified as law enforcement agency vehicles from every view and from a long distance, even at night. Conspicuous marking increases safety, serves as a warning to potential violators, and provides citizens with a feeling of security. Markings, if used, should include exterior mounted emergency lights (such as those mounted on rooftop light bars), the agency's name, the emergency telephone number, and reflective materials placed on the sides and rear of the vehicle, such as reflective striping, lettering, or decals.

It is also recommended that patrol cars be equipped with a public address speaker, exterior spotlights, and alley lights. (M M M M) **Compliance may be OBSERVED.**

**41.3.2** *A written directive specifies the equipment to be included in every patrol vehicle and establishes a system to ensure replenishment of supplies for operational readiness.*

**Commentary:** The amount and type of equipment carried in patrol vehicles depends on the mission of the agency and its patrol officers. Items such as a first-aid kit, equipment for protection against transmission of blood-borne pathogens, blankets, flares, reflective cones, tape measure, accident and criminal investigation equipment and reports, fire extinguisher, and other equipment are often needed by a patrol officer to handle emergencies and preliminary investigations effectively. The agency may determine its

needs. However, the equipment decided upon should be specified by kind and amount, be uniformly available in all vehicles, and available for use. Check-off lists or inspection forms can aid officers and supervisors with ensuring that vehicles are properly stocked, as well as proving compliance with this standard. (M M M M)

**41.3.3** *A written directive specifies the requirements for the use of occupant safety restraint devices in every vehicle.*

**Commentary:** The use of seat belts can have a significant effect in reducing the number of deaths and the severity of injuries resulting from traffic crashes and assist officers in maintaining proper control of their vehicles during pursuit or emergency high speed operations. The directive should require use of occupant safety restraining devices, including the use of child-safety restraints as applicable. This standard applies to all vehicles normally equipped with factory-installed occupant safety restraining devices (see standard 70.2.1 for exceptions). (M M M M)

**41.3.4** *A written directive designates the specifications for all authorized personal equipment and apparel not issued by the agency to be worn by uniformed personnel.*

**Commentary:** The agency should determine the specifications and authorize all personal equipment and apparel, not issued by the agency, used/worn by uniformed personnel to ensure uniformity and prevent use of unauthorized or substandard items. (O O O O)

**41.3.5** *The agency makes available protective vests for all sworn personnel and establishes written guidelines for the wearing and availability of those vests.*

**Commentary:** The wearing of protective vests is important to officer safety. Protective vests should afford protection consistent with the threat to which officers are exposed. Possible reasons for not wearing protective vests could include, but are not necessarily limited to, excessively warm weather conditions, the regular assignment of patrol personnel to non-line duties, etc. Protective vests donated to the agency, or provided by other means, meet the requirement of the standard.

For reasons of proper fit and hygiene, it is strongly recommended that the agency provide a vest for each of its' sworn personnel. This does not preclude an agency from placing exterior armor (one size fits all) in each of its cars for use by the vehicle operator(s). (M M M M)

**41.3.6** *A written directive requires the wearing of protective vests by personnel engaged in pre-planned, high-risk situations as defined by the agency.*

**Commentary:** The intent of the standard is to require that personnel involved in the execution of high-risk tactical duties are required to wear agency provided protective vests whenever discharging those responsibilities, regardless of exceptions that may have been delineated under agency guidelines meeting standard 41.3.5. Examples of high-risk tactical situations include, but are not necessarily limited to planned warrant execution, drug raids, etc. (M M M M)

**41.3.7** *If the agency has computerized mobile data access capabilities or other similar technologies, a written directive establishes procedures for its use, to include:*

- a. the unauthorized introduction of software programs or other files; or*
- b. the manipulation or alteration of current software running on agency-owned mobile, desktop or handheld computers.*

**Commentary:** The intent of the standard is to cause agencies to develop procedures for the system's access, use, and security for its servers, workstations, mobile systems, or handheld devices either hardwired or connected wirelessly, to the agency's computer system. Procedures should consider the system's sophistication. Issues of system access, password security, and administrative security inspections will be determined by the individual system and database access capabilities of that system.

(M M M M)

**41.3.8** *If in-car audio or video recording systems are used, a written directive establishes guidelines for the following:*

- a. situations for use;*
- b. data security and access; and*
- c. data storage and retention schedule.*

**Commentary:** The written directive should provide direction to field personnel for the use of this technology. The products of this technology could become an important piece of evidence in any type of case and should be maintained in a way to insure the integrity of contents. When tapes become evidence, they should be treated as any other evidentiary items in accordance with standards in Chapters 83 and 84. (M M M M)

## CRIMINAL INVESTIGATION AND INTELLIGENCE

Standards in this chapter relate to the criminal investigation function as performed by both uniformed officers and officers specializing in investigations. The standards reflect the perspective that agencies have discretion in determining the degree of specialization necessary to accomplish this function.

The standards provide for administrative and operational programs that should result in efficient and effective criminal investigations. This approach does not direct the agency's investigative functions in each specific crime category, such as homicide, rape, robbery, etc., but rather identifies those elements common to every investigation.

In this post-9/11 environment, law enforcement agencies at all levels recognize that they have a stake in the international law enforcement criminal intelligence effort, in addition to their crime-fighting responsibilities in their communities. The criminal intelligence function within each agency will provide the ability to gather, analyze, protect, and share credible and timely information. It will also provide intelligence to identify, investigate, prevent, deter, and defeat criminal and terrorist activities, both domestically and internationally, as well as protect the security of our homeland and preserve the rights and freedoms of our citizens.

Standards in this chapter are closely related to topical areas addressed in other chapters, including Vice, Drugs, and Organized Crime (Chapter 43), Juvenile Operations (Chapter 44), and Collection and Preservation of Evidence (Chapter 83). Agencies have several options here. Some may treat these functions independently or combine them according to their individual needs. Other agencies, particularly smaller ones, may assign all of these responsibilities to the criminal investigation function. Once functional responsibility is assigned, applicability of standards can be determined.

### 42.1 Administration

#### 42.1.1 *The criminal investigation function provides 24-hour service capabilities.*

**Commentary:** In agencies in which investigators are not assigned to duty shifts throughout a 24-hour period or on weekends, the criminal investigation function should establish an on-call investigator duty roster, which is furnished to the communications center and the commander of the patrol force.

(M M M M)

#### 42.1.2 *The agency uses a case-screening system and specifies the criteria for continuing and/or suspending an investigative effort.*

**Commentary:** The objective of case screening is to assign available personnel to those investigations that have the best chance of being resolved. The written directive should specify how such screening is to be conducted, by whom, and what criteria (solvability factors) should be used. Screening of preliminary investigative information should assist in the decision on whether a follow-up investigation should be made.

The decision about the extent of follow-up or the suspension of investigative efforts should be made at a management level. Adherence to this standard should provide law enforcement administrators with improved management control over the productivity of investigations. Decision-making involves the continued application of solvability and degree-of-seriousness factors plus operational input from periodic reporting by investigators on the progress of assigned cases. Suspension criteria may include lack of further leads or solvability factors, unavailability of investigative resources, and/or insufficient degree of seriousness. Unsolved homicides and other serious crimes deserve consideration for cold case investigative efforts. Cold case investigations can increase the agency's success rate, often with minimal resources. Larger agencies may staff a full-time cold case investigation unit for this purpose.

Cases requiring specialized skills, knowledge, or ability should be assigned to those personnel having that expertise. This does not preclude others from assisting but should discourage the perfunctory assignment of personnel based on a rotation or other criteria-free system. A practice of assigning a single person as the "principal investigator" for each case is encouraged. This, too, does not preclude the assignment of more than one person to an investigation but is designed to place accountability for each case. (O O O O)

**42.1.3** *A written directive establishes a system of case file management for the criminal investigation function, to include:*

- a. a case status control system;*
- b. administrative designators for each case;*
- c. types of records to be maintained;*
- d. accessibility to the files; and*
- e. procedures for purging files.*

**Commentary:** A system for case status control should be established to specify information that should be recorded for each case, such as investigator assigned, date assigned, case number, and report due date. Administrative designations such as "open," "suspended," and "closed" are also recommended for assisting internal case management and control.

Case files should be maintained on all cases in which investigative activities are ongoing. The case files provide an immediate information resource to investigators. The case files should contain a copy of preliminary investigative reports (all originals should be maintained in central records), records of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes. These files should be consolidated into the central records system when the case is suspended or closed. (M M M M)

*42.1.4 A written directive specifies accountability for conducting preliminary and follow-up criminal investigations.*

**Commentary:** To assign responsibility and to establish investigative continuity, a written directive should define which element of the agency is to accomplish the preliminary and/or follow-up investigation for various categories of incidents. (O O O O)

*42.1.5 A written directive requires the following:*

- a. specification of criteria designating certain individuals as habitual/serious offenders;*
- b. identification of all cases in which a designated habitual/serious offender is a party; and*
- c. notification to the prosecuting agency of such cases.*

**Commentary:** The directive should propose a process for identifying cases in which habitual or serious offenders play a role and for establishing criteria for handling such cases. Liaison with the prosecutor's office is very important in ensuring the success of a coordinated career criminal approach. (O O O O)

*42.1.6 A written directive addresses the collection, processing, and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities (including information detailed in 43.1.1 and 46.3.2) with appropriate entities, to include:*

- a. a description of the function;*
- b. the responsibilities of all agency personnel;*
- c. training of personnel;*
- d. procedures for safeguarding, securing, and storing information;*
- e. procedures for ensuring that information collected is limited to criminal conduct or relates to activities that present a potential threat to the jurisdiction;*
- f. legal and privacy requirements;*
- g. documentation, reporting, and dissemination of information;*
- h. procedures for purging out-of-date or incorrect information; and*
- i. an annual review of procedures and processes.*

**Commentary:** The intent of this standard is to document agency accountability for the collection and sharing of suspicious incidents and criminal intelligence information.

Intelligence-gathering activities are important in all agencies. All agencies, regardless of size, must have a criminal intelligence function. The need to develop and share information and criminal intelligence across all levels of government is imperative. Each agency has a stake in the development and exchange of suspicious incidents, information, and criminal intelligence.

Law enforcement agencies should operate under specific guidelines to ensure that no abuses occur. The sensitive nature of criminal intelligence files requires that they be maintained separately from other agency records to prevent compromise and protect the integrity of the file system. If the intelligence function is performed by an individual with other responsibilities (e.g., CEO, deputy chief) or as an activity of a larger function (criminal investigations), the separation and security intentions of this stan-

dard still apply. It is recommended that agencies utilize file procedures (i.e., Law Enforcement Intelligence Unit [LEIU] *Criminal Intelligence File Guidelines*) as a check and balance against inappropriate activities. The collection/submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and constitutional rights of individuals, groups, and organizations.

Law enforcement personnel should be trained and encouraged to document information gleaned from a variety of sources. Training should emphasize that all personnel, regardless of their jobs, have a role in criminal intelligence and the sharing of information. Training can range from roll-call to more advanced training and is frequently available at little or no agency cost.

The *National Criminal Intelligence Sharing Plan* (NCISP) identifies a wide array of suggested accountability mechanisms, such as periodic review by management on decision making throughout the criminal intelligence function; audit trails within criminal intelligence processes and computer systems; staff surveys and questionnaires; effective training on department policies, procedures, and professional criminal intelligence practices; and periodic audits of criminal intelligence operations and files.

Agencies should leverage a number of resources, including existing information sharing initiatives—such as INTERPOL, the Homeland Security Information Network (HSIN), the Regional Information Sharing Systems (RISS), and Law Enforcement Online (LEO)—and reference materials such as *Fusion Center Guidelines: Law Enforcement Intelligence, Public Safety, and the Private Sector*, *LEIU Criminal Intelligence File Guidelines*, the *Justice Information Privacy Guideline* document, and the NCISP. (M M M M)

## 42.2 Operations

**42.2.1** *A written directive establishes steps to be followed in conducting preliminary investigations, to include:*

- a. *observing all conditions, events, and remarks;*
- b. *locating and identifying witnesses;*
- c. *maintaining and protecting the crime scene and arranging for the collection of evidence; and*
- d. *interviewing the complainant, witnesses, and suspects.*

**Commentary:** A properly conducted and documented preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus obviating the need for a follow-up investigation. The investigation usually includes the following tasks: (1) providing aid to the injured; (2) protecting the crime scene to ensure that evidence is not lost or contaminated; (3) determining whether an offense has actually been committed and, if so, the exact nature of the offense; (4) determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished either at the scene or through immediate pursuit; (5) furnishing other field units, through the communications system, descriptions, method, and direction of flight, and other relevant information concerning wanted persons or vehicles; (6) obtaining complete identification of all witnesses; (7) determining what information is known by the victims and witnesses; (8) arranging for the collection of evidence; (9) determining in detail the exact circumstances of the offense; (10) obtaining written statements from victims, witnesses, and if legally possible, from the suspect; and (11) accurately and completely recording all pertinent information on

prescribed report forms. The standard is not intended to preclude the officer conducting the preliminary investigation from being assigned to the follow-up investigation. (M M M M)

*42.2.2 A written directive establishes steps to be followed in conducting follow-up investigations to include, at a minimum:*

- a. reviewing and analyzing all previous reports prepared in the preliminary phase, departmental records, and results from laboratory examinations;*
- b. conducting additional interviews and interrogations;*
- c. seeking additional information (from uniformed officers, informants);*
- d. planning, organizing, conducting searches, and collecting physical evidence;*
- e. identifying and apprehending suspects;*
- f. determining involvement of suspects in other crimes;*
- g. checking suspects' criminal histories; and*
- h. preparing cases for court presentation.*

**Commentary:** These procedures should be used only in the event they are found to be necessary. For example, every follow-up investigation may not include a search. The written directive should be intended as a guide. The investigation may include the following activities: (1) identifying and apprehending the offender; (2) collecting, preserving, analyzing, and evaluating evidence; (3) recovering stolen property; (4) interviewing victims and witnesses; (5) interrogating suspects; (6) determining in detail the exact circumstances of the offense; (7) determining if other crimes may have been committed by the suspect; (8) reporting information obtained; and (9) preparing case for court presentation.

Maintaining contact with principals in any investigation is valuable in building public confidence in the agency as well as indicating that the law enforcement officers are genuinely concerned about the welfare of the victim and other citizens associated with the case. Cross-reference with 55.2.4 (Victim/Witness Assistance). (M M M M)

*42.2.3 The agency provides checklists to aid in criminal investigations.*

**Commentary:** The field report, properly prepared, serves as a satisfactory checklist for most investigations. However, more complicated investigations require additional efforts, and checklists aid in ensuring that critical areas of investigation are not overlooked. (O O O O)

*42.2.4 The agency has a system that provides for periodic attendance of criminal investigators at shift briefings conducted for patrol officers.*

**Commentary:** Joint shift briefings conducted for patrol and criminal investigative personnel should enhance relationships between these entities and provide for the exchange of information. (N/A O O O)

*42.2.5 If agency personnel participate in formal, long term, multi-jurisdictional investigative task force(s), a written directive describes the task force activities, to include:*

- a. the purpose;*
- b. defining authority, responsibilities, and written agreements; and*
- c. evaluating results and the need for continued operation(s).*



**Commentary:** The directive may be a product of the task force or the participating agency. The criteria for the use of task forces should be specified in the directive. The kinds of offenses for which they should be used and the procedures for control and evaluation should be outlined. (M M M M)

*42.2.6 If technical aids for the detection of deception are used, a written directive governs their use in criminal investigations. Examiners must be graduates of institutions providing training for this purpose.*

**Commentary:** The written directive should govern the use of such devices as polygraphs, voice stress analyzer, and other detection of deception equipment. The directive should also specify those persons who may be authorized to use the equipment and the conditions under which it may be used. Adherence to this standard ensures a uniform training base for all operators of technical aids for detection of deception. (M M M M)

*42.2.7 A written directive specifies the procedures to be followed when using confidential informants, to include:*

- a. inclusion of informants in a master file;*
- b. content of the informant file, to include biographical and background information, criminal history record, if any, and code name or number of each informant;*
- c. maintenance and security of informant file and related codes;*
- d. other methods to protect the identity of informants;*
- e. criteria for paying informants, if applicable;*
- f. precautions to be taken with informants, generally; and*
- g. special precautions to be taken with juvenile informants.*

**Commentary:** The use of confidential informants is important to the satisfactory completion of many investigations, including patrol related investigations; drug, vice, and organized crime control functions; and intelligence functions. Procedures should be established to provide for this resource within a controlled system to avoid abuse. In some instances, agencies may promulgate policy governing use of parolees, if required by an authorizing corrections agency.

If the agency does not centralize this function, then each agency function that controls and manages informants should be responsible for compliance with this standard. Investigating officers should take additional precautions when dealing with informants of the opposite sex and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.

A master file on informants should be maintained with an emphasis on security and rigid control of access. A single individual should be identified and given exclusive control over this file. The file should contain information on informants, to include their backgrounds, a record of transactions, and information on how they can be located. Coded information should be used in all transactions with informants, including pay. All funds maintained and used for informants should comply with all procedures in Chapter 17.

Agencies outside the United States should contact CALEA staff for special interpretation of this standard as it relates to the differences in defining the terms “informants” and “agents.” (M M M M)

**42.2.8** *The agency has a written directive concerning identity crime and procedures for:*

- a. *taking identity crime reports;*
- b. *specialized report forms, if any;*
- c. *providing information and assistance to identity crime victims;*
- d. *coordination of investigations with other agencies; and*
- e. *providing public information on prevention of identity crime.*

**Commentary:** Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect an individual for years. Identity crime has been directly linked to terrorist activities in both funding operations and obtaining documents for illegal purposes.

The initial agency report information may require the use of a special form designed to obtain information unique to this crime. Information from government agencies is readily available to assist a victim in providing notices of identity theft, re-establishing their identity and credit, and for public awareness presentations. (O O O O)

**42.2.9** *A written directive describes the procedures for the investigation of cold case files, which includes:*

- a. *defining a cold case;*
- b. *establishing cold case evaluation criteria; and*
- c. *recording agency investigative actions or activities.*

**Commentary:** Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. With recent advances in DNA (deoxyribonucleic acid) analysis, law enforcement has made a great advancement in its ability to identify unknown offenders, even years after the crime occurred.

Law enforcement agencies should have a procedure where unsolved/cold cases are reviewed for new information or where the application of new technology may be successful in solving the cases. This is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts. (O O O O)

**42.2.10** *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:*

- a. *weapons control;*
- b. *security concerns;*
- c. *number of personnel allowed in the interview room;*
- d. *means and methods for summoning assistance, if needed;*
- e. *equipment or items to be kept in the interview room or area; and*
- f. *access to restrooms, water, or comfort breaks.*

**Commentary:** For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. (M M M M)

**42.2.11** *In the absence of controlling authority, a written directive describes the procedures for using photographic or physical lineups in eyewitness identification to include the following:*

- a. *composition of lineup;*
- b. *using video and/or audio recording;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing lineup;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting lineup and the results.*

**Commentary:** The intent of this standard is to establish reliable identification testimony by a witness. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations. (M M M M)

**42.2.12** *In the absence of controlling authority, a written directive describes the procedures for using show-ups in eyewitness identification to include the following:*

- a. *compelling reasons under which a show-up may occur;*
- b. *manner of transportation to the show-up;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing show-up;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting show-up and the results.*

**Commentary:** The intent of this standard is to establish reliable identification testimony by a witness. It should be noted that a show-up carries with it a dangerous degree of improper suggestiveness and should not be used absent compelling reasons for not using a physical or photographic lineup. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations.  
**(M M M M)**

# 43

## VICE, DRUGS, AND ORGANIZED CRIME

Standards in this chapter relate to the control of vice, drugs, and organized crime. These control functions deal with activities that may or may not be related but use investigative methods that are closely related. While some agencies may separate the functions, others may place them in a single organizational component or as additional subfunctions within the criminal investigations function.

Vice control may involve prostitution, illegal use/sale of alcoholic beverages, and the distribution/sale of obscene and pornographic materials. Drug control focuses on the distribution/sale of illegal and controlled substances. Organized crime control should address unlawful activities by members of organized groups or associations engaged in or promoting extortion, theft, fencing, loan sharking, labor racketeering, or other offense for profit, or engaged in supplying illegal goods and services, prostitution, drugs, liquor, weapons—or other unlawful conduct that may include intimidation or corruption.

Organized crime activities are not restricted to large urban areas but can exist in any community where it is possible for a group of persons to establish an organization for criminal activity that provides a continuing financial profit. Investigations into vice, drug, and organized crime offenses can involve tremendous expenditures of time, money, and effort. By establishing criteria with which to evaluate the accuracy and credibility of initial information and determine the scope and relative importance of the problem, the agency can determine which vice, drug, and organized crime offenses should be investigated.

### 43.1 Administration and Operations

**43.1.1** *The agency has a written directive for investigating vice, drug, and organized crime activities, to include:*

- a. *specifying procedures for receiving and processing complaints;*
- b. *maintaining a record of complaints received;*
- c. *maintaining a record of information conveyed to and received from outside agencies; and*
- d. *specifying procedures for advising the agency's CEO of activities.*

**Commentary:** The agency should establish procedures ensuring that each complaint received is recorded and investigated to the fullest extent possible. The directive should include a listing of complaint forms used, information needed, and preliminary actions to be taken. The agency should establish procedures for conducting preliminary and follow-up investigations of vice, drug, and organized crime offenses. Every complaint received should be recorded and entered in a complaint filing system with provision for purging after a specified period of time.

It is recognized that some agencies may not have functional responsibility for the investigation of vice, drug, or organized crime activities. Notwithstanding, the agency should have procedures for meeting the standard, even if only in the normal course of the agency's reporting mechanism. (M M M M)

**43.1.2** *Records and reports relating to active vice, drug, and organized crime investigations are securely filed and maintained separately from the central records system.*

**Commentary:** The nature of vice, drug, and/or organized crime offenses and the considerable amount of undercover work involved in controlling these offenses contribute to the sensitivity of related records. The agency should keep them secure and limit access to authorized persons only. These records should be assigned central case numbers, but the actual records of an active investigation should be under the control of the person responsible for the function or the CEO. (M M M M)

**43.1.3** *The agency's budget provides for a confidential fund(s) to support the operations of the vice, drug, and organized crime control functions.*

**Commentary:** The nature of the operations of these functions often requires frequent and sometimes large expenditures of money. This can include paying informants, purchasing contraband as evidence, and incurring expenses for surveillance activities and equipment. The intent of this standard is to identify the existence of all such funds and to insure they are strictly administered and accounted for in accordance with standard 17.4.2. (N/A O M M)

**43.1.4** *If the agency possesses, or has access to, surveillance and undercover equipment, a written directive establishes a system for its authorization, distribution, and use.*

**Commentary:** The intent of the standard is to establish a system of controls, policies, and procedures that should prevent unauthorized use and loss of often expensive and sophisticated surveillance equipment. (M M M M)

**43.1.5** *The agency has written procedures for conducting, or participating in, surveillance, undercover, decoy, and raid operations.*

**Commentary:** The intent of the standard is to have contingency procedures for all types of operations. The procedures can be contained in a single directive, a manual, or in a series of directives. They can be as simple as a checklist or more detailed depending upon the extent of the plans. Agencies conducting their own operations, or assisting other agencies who are conducting similar operations should, at a minimum, take into consideration provisions for familiarizing officers with the objectives and details of the operation, the neighborhood, or target area; determining operational procedures for observation, arrests surveillance, documentation and/or video/audio recording, high risk entries; supplying officers with expense funds; establishing means of routine and emergency communication; providing relief, backup, security, and perimeter protection for officers; supplying officers with false identity, disguises, and necessary credentials; obtaining authorization for the raid and use of force; designating a single person as a supervisor and coordinator; making contacts with suspects; searching for and seizing evidence and/or contraband; obtaining coordination and assistance from others both inside and outside of the agency; and agency report requirements. (M M M M)

## JUVENILE OPERATIONS

Standards in this chapter relate to the organizational and operational aspects of juvenile operations.

Beyond enforcing the law with respect to juvenile offenders, agencies should make a firm commitment to implement procedures directed toward addressing the causes of the behavior and to develop programs designed to prevent juvenile delinquency. In mid- to large-size agencies, a juvenile operations component should be established; in smaller agencies, the assignment of the function to a person as a part-time responsibility may suffice. The activities engaged in by those responsible for the function should include such things as conducting follow-up investigations of cases involving juvenile offenders, processing youth arrests, preparing and presenting court cases in which a juvenile is involved, diverting juvenile offenders from the juvenile justice system, and designing and implementing programs intended to prevent delinquent and criminal behavior by youths. Beyond this, consideration should be given to developing mechanisms to assure that the victims of juvenile crimes are apprised of case status and disposition.

When dealing with juveniles, law enforcement officers should always make use of the least coercive among reasonable alternatives, consistent with preserving public safety, order, and individual liberty. Generally speaking, law enforcement agencies have four sets of alternatives from which to choose when dealing with juveniles: they may release the offender and take no further action; they may divert the offender to any of a number of social service agencies; they may dispose of the case themselves; or they may (in the case of serious offenders) refer the youth to juvenile court (intake). Because a range of alternatives exists, agencies should establish guidelines and criteria for the use of each.

Given the special legal status of juveniles, criteria should be developed that govern when juveniles should or should not be taken into custody. In addition, procedures should be established for the interrogation and temporary detention of juveniles, who are taken into custody. Procedures should also be developed for the collection, dissemination, and retention of fingerprints, photographs, and other forms of identification, as well as juvenile records. The standards in this chapter are not intended to usurp state statutes or ordinances. Evidence of adherence to state statutes or ordinances will be taken as evidence of compliance.

## 44.1 Administration

### 44.1.1 *A written directive describes the agency's juvenile operations function.*

**Commentary:** The intent of this standard is to establish agency accountability for the juvenile function in writing. The agency should make a firm commitment to develop and perpetuate programs that are designed to prevent and control juvenile delinquency, while emphasizing that participation or support in the juvenile operations function is shared by all relevant components and personnel. Law enforcement agencies can also take an active leadership role in developing community recreational programs for juveniles. If a recreational program is needed but does not exist, the agency is encouraged to organize one. However, once the program is established, it is best for the agency to turn over the management to professional recreational personnel or citizens' groups and allow agency personnel to participate in the program on a voluntary basis.

The function should be developed and operated to effectively meet agency needs. Placement of the function within the organizational structure is also addressed by standard 11.1.1. Proving compliance with this standard may be accomplished through a series of documents or a single, all inclusive directive. (M M M M)

### 44.1.2 *The agency encourages review and comment by other elements of the juvenile justice system in the development of the agency's policies and procedures relating to juveniles.*

**Commentary:** None. (O O O O)

### 44.1.3 *A written directive requires annual review and written evaluation of all enforcement and prevention programs relating to juveniles.*

**Commentary:** The evaluation should consider programs and initiatives created to comply with standard 44.1.1, as well as both the quantitative and qualitative elements of each program, lending itself to decisions regarding whether a specific program should function as is, be modified, or be discontinued. (N/A O O O)

## 44.2 Operations

### 44.2.1 *A written directive requires that officers dealing with juvenile offenders use the least coercive among reasonable alternatives and includes, at a minimum, provisions for the following:*

- a. *outright release with no further action;*
- b. *criteria and procedures for issuing written citations or summonses to juvenile offenders to appear at intake in lieu of taking them into custody; and*
- c. *referral to juvenile court.*

**Commentary:** In keeping with the doctrine of *parens patriae*, e.g., that the state plays the role of parent to the child rather than adversary, agencies should seek the least forceful alternative when disposing of cases involving juveniles.



Law enforcement agencies have a wide range of alternative remedies they may employ, ranging from warnings to intake.

If allowed by law, written citations or summonses should be used rather than taking juveniles into custody. A copy of the citation should also be sent to the juvenile's parents or guardians.

The agency should have guidelines for making diversion decisions, such as the nature of the offense, the age and circumstances of the offender, the offender's record, the availability of community-based rehabilitation programs, and recommendations for diversion from complainants or victims.

Where appropriate and when resources are available, simple treatment by the agency alone, consisting principally of supervision on a voluntary basis agreed to by the parents, may suffice.

In other cases, a relatively prolonged program of treatment or diversion on a voluntary basis, necessitating the services of one or more social agencies, may be needed.

Agency referral of alleged juvenile offenders for formal legal proceedings should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to the juvenile justice system would include all delinquent acts that, if committed by an adult, would be felonies; all delinquent acts involving weapons; all serious gang-related delinquent acts; all delinquent acts involving aggravated assault and battery; all delinquent acts committed by juveniles on probation or parole or by those with a case pending; and all repeated delinquent acts (within the preceding 12 months).

Other cases that may require referral to the juvenile justice system include juveniles who have been selected for a diversion program but have refused to participate and cases in which it has been determined that parental supervision is not effective.

If prevailing law specifies requirements for intake, the standard may be satisfied by incorporating reference to the law into the written directive. (M M M M)

**44.2.2** *The agency has written procedures for taking a juvenile into custody including, at a minimum, provisions for the following:*

- a. determining whether the juvenile is alleged to have engaged in noncriminal misbehavior (a status offense);*
- b. determining whether the juvenile is alleged to have been harmed or to be in danger of harm;*
- c. ensuring that the constitutional rights of juveniles are protected;*
- d. bringing the juveniles to the intake facility or the juvenile component without delay (unless a juvenile is in need of emergency medical treatment); and*
- e. notifying parents or guardians of juveniles that the latter have been taken into custody.*

**Commentary:** The intent of the standard is to provide guidance to agency personnel in making custody decisions in juvenile matters. For the purposes of this standard the term "taking into custody" encompasses the concept of protective custody for juveniles.

Agency procedures should also specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody. (M M M M)

**44.2.3** *A written directive governs procedures for the custodial interrogation of juveniles, to include provisions for the following:*

- a. conferring with the juvenile and parents or guardians to explain agency and juvenile justice system procedures; and*
- b. limiting the duration of interrogation and the number of officers engaging in the interrogation.*

**Commentary:** Many states and provinces establish guidelines for the custodial interrogation of juveniles. Proof of compliance can be shown through these statutes.

Agencies without controlling legislation will need to establish procedures to ensure that the custodial interrogation of juveniles meets constitutional and local court guidelines. (MMMM)

**44.2.4** *A written directive describes the agency's school liaison program.*

**Commentary:** School liaison programs can also provide a forum through which students, parents, faculty, and law enforcement officers can become acquainted and, as a result, earn mutual respect. Apart from the obvious benefits accruing to students, such programs demonstrate to parents and faculty that the agency has a genuine interest in the community's young people. (OOOO)

**44.2.5** *The agency participates in and/or organizes community recreational youth programs.*

**Commentary:** Law enforcement agencies should take an active leadership role in developing community recreational programs for juveniles.

This standard is intended to encourage the establishment of ongoing recreational programs as opposed to occasional events. This standard is additionally intended to address recreational program, as opposed to youth-oriented instructional programs, e.g., DARE, GREAT. (OOOO)

## CRIME PREVENTION AND COMMUNITY INVOLVEMENT

Standards in this chapter relate to crime prevention and community involvement. While these concepts are distinct, they often merge when police services are provided and should be seen as vehicles for strengthening community partnerships when formulating policing strategies.

Beyond stating their commitment to crime prevention and community involvement, law enforcement agencies should integrate the ideals found in various strategies for building community relationships and establish specific policies, goals, and objectives by which their commitment can be realized. In larger agencies, the creation of independent crime prevention and community involvement functions may be called for; in others, designating an individual(s) to be responsible for crime prevention and community involvement activities on an as-needed basis may suffice. In every agency, it should be understood that all members and components are responsible for enhancing the quality of life of the agency's constituency, implementing the tenets of the agency's community-involvement strategy, and for achieving agency crime prevention and community goals.

The use of non-sworn personnel should be encouraged. Agencies that utilize civilian volunteers, including senior citizens and law enforcement explorers, as part-time or full-time assistants should consider them as "auxiliaries" as defined in the Glossary and as referenced in various standards.

The specialized training requirements of standard 33.6.1 are applicable both to agency personnel staffing the crime prevention and community involvement function mentioned in standards 45.1.1 and 45.2.1.

Crime prevention duties might include speaking to various groups on crime prevention methods, distributing crime prevention literature, staffing information booths, alerting victims on how best to avoid future victimization (including children), developing crime prevention materials for use by the media (including public alerts such as the AMBER Alert), and developing or maintaining liaison with neighborhood groups. Beyond this, agencies should seek to develop partnerships and resources within the community to build problem-solving coalitions, to instill a sense of mutual responsibility for enhancing public safety, and to increase the community's capacity to resolve issues related to crime and the fear of crime.

Every agency should comply with those crime prevention and community involvement standards that are consistent with its mission. Agencies with overlapping jurisdictions are not expected to perform crime prevention activities that would interfere with local crime

prevention efforts, but may assist local departments as deemed appropriate. Such agencies may wish to consult CALEA staff about the applicability of these standards to their operations.

The agency's community-involvement initiatives and crime prevention activities should be developed based on data reflective of community input and indicative of the types of problems that pose the greatest concern to the community and where this activity is most geographically prevalent. Programs and initiatives should be evaluated to determine whether they have been effective in achieving stated goals.

Standards in subchapter 45.2 (Community Involvement) are formulated with the intent of identifying and addressing problems arising between law enforcement agencies and all segments of their service population. Agencies should consider adopting an agency-wide philosophy of proactive community interaction and establish formal relationships with the community organizations that exist in their jurisdictions. More importantly, agencies should play an active role in organizing such groups where they are needed. By establishing links with the community, law enforcement agencies can learn of issues and respond to them before they become problems. By developing partnerships and programs that increase the community's understanding of the activities and the policing role agencies can increase public confidence while lessening obstacles to implementing new programs and approaches that could fail for want of public understanding or accurate information.

## **45.1 Crime Prevention**

**45.1.1** *The agency's crime prevention function provides for the following:*

- a. targeting programs by crime type and geographic area on the basis of crime data;*
- b. targeting programs to address community perceptions or misperceptions of crime; and*
- c. conducting a documented evaluation of crime prevention programs, at least once every three years.*

**Commentary:** Preventing crime demands an integrated, coordinated agency response. Therefore, for a crime prevention function to meet its goals (see standard 15.2.1), it should maintain close ties with those other functions that support and make possible the furtherance of the crime prevention effort, especially by patrol officers engaged in field assignments. That an agency is small does not exempt it from seeking a reasonable balance between its reactive and proactive (crime prevention) functions. Small agencies may actually be better equipped to prevent crime because of their officers' close personal ties with the community.

Community interaction provides the framework for the agency's establishment of action priorities. The agency, in concert with the community, should decide which crime types present the greatest problem; where the problems are most severe or where crime prevention activities could be most effective; and what types of response would be most effective. (N/A O O M)

**45.1.2** *The agency assists in organizing crime prevention groups in residential and business areas targeted for such activity in standard 45.1.1 and maintains liaison with these and other interested community groups.*

**Commentary:** None. (O O O O)

**45.1.3** *The agency provides crime prevention input into development and/or revision of zoning policies, building codes, fire codes, and residential/commercial building permits.*

**Commentary:** The agency should become proactively involved in this process as an integral element in ensuring that crime prevention concerns, from the law enforcement perspective, are addressed prior to legal enactment or construction. Programs such as Crime Free Multi-Housing (CFMH) and Crime Prevention Through Environmental Design (CPTED) are valuable resources that can aid in the development of partnerships to reduce the opportunity for criminal activity to occur. (O O O O)

## **45.2 Community Involvement**

**45.2.1** *The community involvement function provides the following, at a minimum:*

- a. establishing liaison with existing community organizations or establishing community groups where they are needed;*
- b. assisting in the development of community involvement policies for the agency;*
- c. publicizing agency objectives, community problems, and successes;*
- d. conveying information transmitted from citizens' organizations to the agency;*
- e. improving agency practices bearing on police community interaction; and*
- f. developing problem oriented or community policing strategies, if any.*

**Commentary:** Law enforcement agencies should establish direct contacts with the community served. Without "grass roots" community support, successful enforcement of many laws may be difficult, if not impossible. Community involvement can be an effective means of eliciting public support, can serve to identify problems in the making, and may foster cooperative efforts in resolving community issues. Input from the community can also help ensure that agency policies accurately reflect the needs of the community.

The intent of this standard is to establish agency accountability for the community involvement function in writing. The function should be developed and operated to effectively meet the needs of the agency, as well as the community it serves. Placement of the function within the organizational structure is also addressed by standard 11.1.1. Proving compliance with this standard may be accomplished through a series of documents or a single, all-inclusive directive.

Because the conduct of each employee reflects on the agency as a whole, the burden of achieving the agency's community relations objectives should be shared. A unified, coordinated effort should require the participation, enthusiasm, and skills of all agency personnel. (O O O O)

**45.2.2** *At least quarterly, the person or persons responsible for the community involvement function prepares and submits to the chief executive officer a report that includes, at a minimum, the following elements:*

- a. a description of current concerns voiced by the community;*
- b. a description of potential problems that have a bearing on law enforcement activities within the community;*
- c. a statement of recommended actions that address previously identified concerns and problems; and*
- d. a statement of progress made toward addressing previously identified concerns and problems.*

**Commentary:** These concerns and problems should, at a minimum, be communicated to the chief executive officer, both to provide information on conditions in the community and to allow the chief executive officer to react in a timely manner to alleviate concerns and avert problems. Ideally, these reports should also be disseminated to other concerned command level personnel. (N/A O O O)

**45.2.3** *A written directive establishes procedures for transmitting relevant information received by any agency member to the person responsible for preparing the report found in standard 45.2.2.*

**Commentary:** The purpose of the standard is to insure that there is an evaluative loop in the community involvement/community-policing actions of the agency. Compliance with the standard reduces the likelihood of misinterpretation by the person preparing the quarterly report and insures that information being gathered by agency personnel is incorporated into the decision-making processes. (N/A O O O)

**45.2.4** *A documented survey of citizen attitudes and opinions is conducted at least once every three years with respect to:*

- a. overall agency performance;*
- b. overall competence of agency employees;*
- c. citizens' perception of officers' attitudes and behavior;*
- d. community concern over safety and security within the agency's service area; and*
- e. citizens' recommendations and suggestions for improvements.*

**Commentary:** Surveys are useful for several purposes; however, the survey should be used as a platform for organizational learning, asking specific questions about the quality of policing in the community. It should also address a broad section of the community: victims and others who have had recent contact with the police, employees, and/or direct observation.

The survey may be conducted by mail, in person, electronically, or by telephone and may be combined with questions relating to victimization and other issues. The results of the survey may be provided to the community. The survey may be carried out directly by agency personnel or by others with agency guidance.

The Bureau of Justice Statistics makes available to police departments a free software package and guide for conducting community surveys. (O O O O)

**45.2.5** *If the agency conducts a survey in compliance with 45.2.4, the results are compiled, with a written summary provided to the agency's chief executive officer.*

**Commentary:** None. (M M M M)

## **CRITICAL INCIDENTS, SPECIAL OPERATIONS, AND HOMELAND SECURITY**

The standards in this chapter relate to critical incidents encountered, and special operations conducted, by a law enforcement agency.

Critical incidents connote situations, generally of an emergency nature, that result from disasters, both natural and man-made, and civil disturbances. Disasters include floods, hurricanes, earthquakes, explosions, and tornadoes. Civil disturbances include riots, disorders, and violence arising from dissident gatherings and marches, rock concerts, political conventions, and labor disputes.

The critical incident section (46.1) follows the structure of the National Incident Management System (NIMS). The incident command system is a component of the National Incident Management System.

The special operations section (46.2) encompasses the use of a tactical team, negotiation with hostage takers or barricaded persons, coverage of special events, protection of VIPs, and conduct of search-and-rescue missions.

In many large agencies, these activities are grouped in a formally organized special operations (or tactical) component that provides a concentration of resources and specialized expertise at a level that could not be achieved as easily by conventional operational components, such as patrol or criminal investigations. Other agencies choose to establish a part-time component, staffed by personnel from other functions who assemble as the need arises. However, special operations encompass activities for responding to certain kinds of emergencies or unexpected situations that might be better served by some type of specialized component rather than organized under conventional operational components.

Smaller agencies may or may not have a special operations (or tactical) component. Regardless, these types of emergency situations arise in jurisdictions of any size and every agency may be the "first responder" even when another, larger agency may be called in to assist or even resolve the incident. For this reason, every agency must have a written plan(s) that outlines the procedures for how the situation will be handled. Agencies need not create separate manuals for each standard. Rather, compliance can be achieved by a single, comprehensive manual which embraces common bullets, with relevant areas addressed by appropriate sections. With the exception of the conditional standards, this chapter applies to every size agency.

Other standards related to this chapter are included in the chapters on mutual aid (Chapter 2), training (Chapter 33), and property and evidence control (Chapter 84).



## 46.1 Critical Incidents

**46.1.1** *A written directive specifies a position in the agency tasked with planning a response to critical incidents.*

**Commentary:** The person holding this position should be the principal planner and advisor on critical incidents to the agency's chief executive officer. In larger agencies, an important part of the duties attendant to this position may be to act as an expeditor of resources during critical incidents.

**(M M M M)**

**46.1.2** *The agency has a written "All Hazard" plan for responding to critical incidents such as natural and man-made disasters, civil disturbances, mass arrests, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual incidents. The plan will follow standard Incident Command System (ICS) protocols, which include functional provisions for: command (46.1.3), operations (46.1.4), planning (46.1.5), logistics (46.1.6), and finance/administration (46.1.7).*

**Commentary:** The Incident Command System (ICS) has proven very effective in federal and fire services emergencies over the past two decades. This system permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency's (FEMA) ICS is comprehensive, available on the Internet, and widely used.

The Incident Command System (ICS) establishes standardized incident management processes, protocols, and procedures that all responders—federal, state, tribal, and local—will use to coordinate and conduct response actions. With responders using a common language and standardized procedures, they will all share a common focus, and will be able to place full emphasis on incident management when a critical incident occurs—whether terrorism or natural disaster. **(M M M M)**

**46.1.3** *At a minimum, the command function will address the following:*

- a. *activating the incident command system;*
- b. *establishing a command post;*
- c. *initiating the notification and mobilization of additional agency personnel;*
- d. *obtaining support from other agencies;*
- e. *establishing a staging area, if necessary;*
- f. *providing public information and maintaining media relations;*
- g. *maintaining the safety of all affected personnel; and*
- h. *preparing a documented after action report.*

**Commentary:** None. **(M M M M)**

**46.1.4** *At a minimum, the operations function will address the following:*

- a. *establishing perimeters;*
- b. *conducting evacuations;*
- c. *maintaining command post and scene security;*

- d. providing for detainee transportation, processing, and confinement;*
- e. directing and controlling traffic; and*
- f. conducting post-incident investigation.*

**Commentary:** The operations function is responsible for the management of all tactical operations directly related to the primary mission. (M M M M)

**46.1.5** *At a minimum, the planning function will address the following:*

- a. preparing a documented incident action plan;*
- b. gathering and disseminating information and intelligence; and*
- c. planning post-incident demobilization.*

**Commentary:** The planning function is vital to the success of the critical incident plan. Preparation of a documented incident action plan is one of the first responsibilities of the planning function. This function is also responsible for collecting and evaluating information about the incident, the status of resources, and anticipated equipment and manpower needs. The planning function is typically tasked with assembling information on current and alternative strategies, identifying needs for special resources, providing periodic predictions on incident potential, and preparing recommendations for release of resources. (M M M M)

**46.1.6** *At a minimum, the logistics function will address the following:*

- a. communications;*
- b. transportation;*
- c. medical support;*
- d. supplies; and*
- e. specialized team and equipment needs.*

**Commentary:** The logistics function provides manpower, facilities, services, and materials in support of the critical incident. (M M M M)

**46.1.7** *At a minimum, the finance/administration function will address the following:*

- a. recording personnel time;*
- b. procuring additional resources;*
- c. recording expenses; and*
- d. documenting injuries and liability issues.*

**Commentary:** The finance and administrative function is responsible for all financial and cost analysis aspects of the critical incident. (M M M M)

**46.1.8** *The agency completes a documented quarterly inspection for operational readiness of equipment designated for use in support of its critical incident plan.*

**Commentary:** To ensure the readiness of equipment to be used in support of emergency operations, critical incident plans should show the numbers and types of equipment and supplies needed for various emergencies. (M M M M)

**46.1.9** *A written directive provides for documented annual training on the agency's "All Hazard" plan for affected agency personnel.*

**Commentary:** The expanding scope and sophistication of emergency operations, along with increased possibilities of acts of terrorism, require law enforcement agencies to quickly act to stabilize and control emergency situations. Increasingly, law enforcement agencies must deal with large catastrophes with little or no notice. Immediate and decisive action is required to minimize loss of life, reduce property damage, and permit involved authorities to fulfill their responsibilities.

The Incident Command System (ICS) permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency (FEMA)'s ICS is comprehensive, available on the Internet, and widely used. An agency may choose a different model but must insure that it accomplishes the intent of ICS and that any system used is readily adaptable to systems other agencies may use in important areas, e.g., terminology, modular organization, integrated communications, and unity of command. The ICS will not be effective if training is not provided or if it is not used.

While the law enforcement mission is often handled with few officers, there are situations that quickly escalate into major incidents. It is important to work with other agencies that use this system, so when crises arise, all personnel are familiar with the ICS structure and can function effectively within it. Compatibility between agency ICSs is imperative if ICS is to work effectively. This standard does not require the use of ICS with minor instances handled solely by the agency.

Additionally, not all components of ICS need to be activated when the system is operational; only those that are needed in the situation should be used. Component activation and deactivation depends upon changing circumstances.

Training should include tabletop, actual exercises, multiple agency involvement, and may be in conjunction with specific plans required in other standards and operations in Chapter 46.

The agency should also consider the effect of this standard on other standards that address command protocol and require coordination and authority, e.g., standards 12.1.2 and 12.1.4. (O M M M)

## **46.2 Special Operations**

**46.2.1** *A written directive establishes procedures for special operations activities including:*

- a. the responsibilities that agency personnel are to assume until assistance arrives;*
- b. deployment of tactical teams to supplement other operational components; and*
- c. coordination and cooperation between tactical teams and other operational components.*

**Commentary:** For those special operations the agency does not perform, the directive should identify where such assistance is available and how it is requested. Guidelines should also be established for use

of special operations officers to supplement other operations, such as patrol, as the need arises. The intent of “coordination and control” is to establish procedures to alleviate potential misunderstandings among all components, to provide for the safety of officers, and to ensure the success of the operation. Discretion is advised in disseminating information to local commanders or operational components when operational security is critical to success. (M M M M)

**46.2.2** *If the agency participates in tactical operations, either on a part-time or full-time basis, a written directive establishes criteria for the selection of officers assigned to those operations.*

**Commentary:** Officers who are assigned to tactical operations, whether full- or part-time, should be carefully selected. Special criteria for selection should be identified, such as a stipulation that the assignment is voluntary; prior law enforcement experience in a field assignment; physical fitness and agility; and ability to function as a member of a team. The submission of an application, an oral interview, a physical agility test, and a comprehensive background investigation to assess the applicant’s potential performance and mental suitability for tactical assignment. These criteria should be publicized to ensure that all qualified and interested officers have equal opportunity to apply for these positions. (M M M M)

**46.2.3** *If agency personnel participate in a full-time or part-time tactical team, the agency ensures that specialized equipment is provided for its personnel.*

**Commentary:** Special equipment is needed to provide tactical officers with proper protection and to facilitate successful resolution of tactical operations. The equipment may be issued to officers for storage at home, in agency vehicles, or in some other accessible location. Such equipment is not limited to but may include a portable, handheld radio transceiver with earpiece and/or throat microphone; a flashlight; a chemical agent mask; body armor; a utility uniform; a ballistic helmet; binoculars; sidearm; and other firearms as dictated by the position of assignment, e.g., center fire rifle with telescopic sight, shotgun, automatic rifle, or submachine gun. (M M M M)

**46.2.4** *If the agency has hostage negotiators, a written directive specifies criteria for selection to those positions.*

**Commentary:** Hostage negotiators should be carefully screened and selected. Special criteria for selection should be identified, such as passing a psychological screening examination, including testing and a clinical interview by a licensed psychologist or psychiatrist; experience as a law enforcement officer in a field assignment; and good verbal skills and problem-solving abilities. (M M M M)

**46.2.5** *If an agency performs search and rescue missions, a written directive defines the scope and procedures of their activities.*

**Commentary:** See Glossary definition for search and rescue. (M M M M)

**46.2.6** *The agency has a written plan for handling the security of visiting VIP’s.*

**Commentary:** The plan should designate a single person or position as supervisor and coordinator of any given security detail. Consideration should be given to equipment requirements, to include vehicles,

body armor for VIP's and assigned personnel, and weapons for officers; instructions for planning and reconnoitering travel routes and alternates; advance inspection for gathering intelligence information; coordination of operations within the agency and with outside agencies; identification of emergency first-aid, ambulance, and medical facilities; communications; and identification by designation, e.g., lapel pins.

In addition to these requirements, agencies having frequent responsibilities for coordinating operations with the U.S. Secret Service or (equivalent foreign dignitary protection services) should establish specific arrangements with that organization for purposes of planning and coordination. (M M M M)

**46.2.7** *The agency has a written plan for handling special events.*

**Commentary:** The intent of the standard is to encourage the development of an overall plan, setting out requirements, in turn, for specific planning and operation for each individual event. The plan should designate a single person or position as supervisor and coordinator for each event.

Special events may include parades, entertainment/sporting events, highway construction/ maintenance activities, picketing/demonstrations, etc. The plan should address the following problems and special circumstances: ingress and egress of vehicles and pedestrians, parking space, spectator control, public transportation, relief of personnel assigned, news media, alternate traffic routes, temporary traffic controls and parking prohibitions, and emergency vehicle access. Consideration should also be given to use of special operations personnel, logistical requirements, and coordination inside and outside the agency. (M M M M)

**46.3 Homeland Security**

**46.3.1** *The agency maintains liaison with other organizations for the exchange of information relating to terrorism.*

**Commentary:** The exchange of information should facilitate information sharing and multi-jurisdictional preemption of terrorist acts or events. Private agencies should be considered for participation in information sharing as necessary for various situations. (M M M M)

**46.3.2** *A written directive establishes procedures for reporting and relaying terrorism related intelligence/information to the proper task force or agency.*

**Commentary:** None. (M M M M)

**46.3.3** *The agency provides terrorism awareness information within its service area.*

**Commentary:** Such information should encourage and identify methods for reporting suspicious activity that may be related to terrorism. This may be accomplished through individuals and community organizations, both public and private. (O O O O)

**46.3.4** *The agency provides awareness level training for events involving hazardous materials.*

**Commentary:** The purpose of this standard is to provide responding law enforcement officers the basic knowledge to recognize a hazardous situation and immediately implement basic procedures to

have authorities with the technical ability assess the situation. Also, law enforcement personnel need to understand basic self-protection measures for themselves and others, while being able to protect the incident scene and controlling the area to prevent unauthorized or unknowing persons from entering into a possible contamination zone. (M M M M)

## INTERNAL AFFAIRS

The internal affairs function is important for the maintenance of professional conduct in a law enforcement agency. The integrity of the agency depends on the personal integrity and discipline of each employee. To a large degree, the public image of the agency is determined by the quality of the internal affairs function in responding to allegations of misconduct by the agency or its employees.

The standards in this chapter assume that in large agencies there will be a specialized organizational component, usually as a part of the office of the chief executive, responsible for internal affairs matters. In those cases involving the integrity of the agency, the specialized unit will actually conduct the investigation and carry out all assignments related to resolving the issue. The specialized unit should be a resource and should review those internal affairs matters of lesser importance that are investigated by supervisory personnel.

In smaller agencies, a specialized unit may not be established. However, the function is important and investigations may be assigned to an individual on an as needed basis or be conducted by the chief executive officer.

Agencies having an internal affairs function consistent with these standards will have the capability to respond appropriately to allegations of misfeasance, malfeasance, and nonfeasance by employees, and to complaints about the agency's response to community needs, thereby instilling public confidence in the agency.

### 52.1 Organizational Integrity

**52.1.1** *A written directive requires all complaints against the agency or its employees be investigated, to include anonymous complaints.*

**Commentary:** To ensure the integrity of its operations and personnel, agencies should investigate all allegations of misconduct, regardless of their source. Anonymous complaints can be difficult to investigate; however, the agency should carefully review each complaint for validation before disregarding it for lack of a credible complainant. (MMMM)

**52.1.2** *A written directive requires the agency to maintain a record of all complaints against the agency or employees and to protect the confidentiality of these records by maintaining them in a secure area.*

**Commentary:** The confidentiality of internal affairs records is important, and proper security precautions should be taken. This records activity is a task of the internal affairs function and is an exception to the personnel records or centralized records systems.

The schedule for retaining internal affairs records should be consistent with legal requirements.  
(M M M M)

**52.1.3** *A written directive specifies that the position responsible for the internal affairs function has the authority to report directly to the agency's chief executive officer.*

**Commentary:** The sensitivity and impact of internal affairs matters on the direction and control of an agency require that the agency's chief executive officer receive all pertinent information directly.  
(M M M M)

**52.1.4** *The agency makes available information to the public on procedures to be followed in registering complaints against the agency or its employees.*

**Commentary:** Procedures for registering complaints should be made available to the community through the media or the agency's community relations programs. This information should also be disseminated to all agency employees. (O O O O)

**52.1.5** *The agency compiles annual statistical summaries, based upon records of internal affairs investigations, which are made available to the public and agency employees.*

**Commentary:** None. (M M M M)

## **52.2 Complaint Procedures**

**52.2.1** *A written directive specifies:*

- a. the type of complaints to be investigated by line supervisors; and*
- b. the type of complaints that require investigation by the internal affairs function.*

**Commentary:** The intent of this standard is to provide guidelines regarding which categories of complaints are to be handled by the internal affairs function and which are part of routine discipline. The criteria for determining the categories of complaints to be referred to the internal affairs function may include allegations of corruption, brutality, misuse of force, breach of civil rights, and criminal misconduct. Criteria for assignment of the investigation of the complaint to line supervisors may include, for example, alleged rudeness on the part of the officer, tardiness, or insubordination. (M M M M)

**52.2.2** *A written directive specifies the procedures for notifying the agency's chief executive officer of complaints against the agency or its employees.*

**Commentary:** The directive should specify the nature of those complaints that should be brought immediately to the attention of the agency's chief executive officer and those that can be postponed to a later time. (O O O O)

**52.2.3** *A written directive specifies a time limit for completing an internal affairs investigation, with provisions for extensions.*

**Commentary:** None. (M M M M)



**52.2.4** *The agency keeps the complainant informed concerning the status of a complaint to include, at a minimum:*

- a. verification of receipt that the complaint has been received for processing;*
- b. periodic status reports; and*
- c. notification of the results of the investigation upon conclusion.*

**Commentary:** The verification, usually in the form of a receipt, furnished to persons initiating complaints alleging misconduct on the part of the agency or an agency employee may contain a description of the investigative process. The status of investigations should be communicated to the complainant, although the degree of specificity of the notice is left to the discretion of the agency. This standard does not apply to anonymous complaints. (O O O O)

**52.2.5** *When employees are notified that they have become the subject of an internal affairs investigation, the agency issues the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation.*

**Commentary:** None. (M M M M)

**52.2.6** *A written directive specifies the conditions, if any, during an internal affairs investigation, when:*

- a. medical or laboratory examinations are administered;*
- b. photographs are taken of employees;*
- c. an employee may be directed to participate in a line-up;*
- d. an employee may be required to submit financial disclosure statements; and*
- e. instruments for the detection of deception are used.*

**Commentary:** The written directive should be based on the legal requirements in the jurisdiction, case law, and precedent and should be consistent with other administrative decisions. An employee may be required to submit to a medical or laboratory examination, at the agency's expense, when the examination is specifically directed and narrowly related to a particular internal affairs investigation being conducted by the agency. An example is the use of this process in determining drug use by employees. An employee may also be required to be photographed, to participate in a line-up, and/or submit to a financial disclosure statement when the actions are material to a particular internal affairs investigation being conducted by the agency. (M M M M)

**52.2.7** *A written directive specifies the circumstances in which an employee may be relieved from duty.*

**Commentary:** The written directive should be supported by other documents establishing the powers and authority of the office of the chief executive. The relief from duty may be a temporary administrative action pertaining to an employee's physical or psychological fitness for duty or an action pending disposition of an internal affairs investigation. The authority to relieve an employee from duty should extend to supervisory levels. (O O O O)

**52.2.8** *A written directive requires a “conclusion of fact” for each investigation into allegation of misconduct.*

**Commentary:** The conclusion of the disciplinary process should be structured and should provide information to all participants in the process. The agency needs to be aware of changes in policies, procedures, rules, and regulations that may prevent future allegations of misconduct, as well as the need to modify or expand training. (O O O O)

## INSPECTIONAL SERVICES

The standards in this chapter relate to the inspectional process within a law enforcement agency. The inspectional process is an essential mechanism for evaluating the quality of the agency's operations; ensuring that the agency's goals are being pursued; identifying the need for additional resources; and ensuring that control is maintained throughout the agency. Inspections may include, for example, evaluation of facilities, vehicles, equipment, records, personnel, investigative procedures, crime reporting practices, and incident reports. The inspectional process compares the agency's formal expectations with actual performance. Inspections, conducted with clear objectives and a positive approach, provide a means of communication within the agency, not only "downward" but also "upward."

The inspectional process, at both the line and the staff levels, provides the chief executive officer and other managers and supervisors with a means of regularly assessing the agency's efficiency and effectiveness and provides information necessary to plan for change. Clear objectives for the inspectional process should be established; it should also be acknowledged that inspectional activity can properly evaluate performance only by comparing it with previously established goals, objectives, policies, procedures, and rules and regulations. All agencies should conduct line inspections, which should be carried out by supervisors at all levels. Larger agencies should also have formally organized staff inspection components.

Staff inspections may overlap depending on the construction of the specific systems. Generally, line inspections focus on the condition of facilities, equipment, procedures, uniforms, etc., and are done frequently by a line supervisor. Staff inspections generally focus on agency procedures and are done infrequently by staff personnel. For example, a line inspection may determine if patrol officers are checking their cars at the beginning of their shift as required by a department directive. A staff inspection system may monitor organizational components in terms of their results; for example, a detective unit may be required to report solvability rates for various crimes or a patrol unit asked to report the number of DUI arrest per hours of DUI patrol. These reports are valuable for decisions concerning resource allocation, modification of component objectives, and training needs.

## 53.1 Line Inspections

**53.1.1** *A written directive requires line inspections within the agency and includes provisions for the following, at a minimum:*

- a. procedures to be used in conducting line inspections;*
- b. frequency of inspection;*
- c. responsibilities of the supervisor in each organizational component for both the conduct of inspections and correction of conditions discovered by the inspection;*
- d. criteria to identify those inspections that require a written report; and*
- e. follow-up procedures to ensure corrective action has been taken.*

**Commentary:** Line inspections should be an ongoing activity to ensure that employees are acting in concert with agency requirements in such areas as personal appearance, use and maintenance of equipment, and adherence to agency directives and orders. Line inspection is also concerned with the status and conditions of physical facilities within a given organizational component. Line inspections should be a primary responsibility of supervisors and managers at every level of the agency and should provide a mechanism for achieving accountability within the agency. (O M M M)

## 53.2 Staff Inspections

**53.2.1** *A written directive requires a staff inspection function, and includes provisions for:*

- a. identity of the person(s) conducting the staff inspection;*
- b. procedures to be used in conducting staff inspections;*
- c. submission of a written report that identifies deficiencies and makes recommendations for their improvement and/or correction, and identifies positive aspects of the area being inspected;*
- d. a follow-up written report for noted deficiencies that cannot be immediately corrected; and*
- e. a staff inspection to be conducted within all organizational components at least once every three years.*

**Commentary:** A staff inspection, whether conducted by inspectors internal or external to the agency, is an in-depth review of all components of the agency. This management tool is used to assure the agency head that administrative procedures are being adhered to.

The role of staff inspections is to promote an objective review of agency administrative and operational activities, facilities, property, equipment, and personnel outside the normal supervisory and/or line inspections. A “mock” or CALEA on-site assessment will not satisfy this standard. (N/A O O O)

# APPENDIX A

## GLOSSARY

### A

**ABANDONMENT:** The situation when a child is told or forced to leave home overnight, or is prevented from returning home overnight by a parent or household adult when no adequate alternative care is arranged, or a child's caretaker makes no effort to recover a child who has run away, or who has been deserted.

**ACADEMY:** A facility at which agency training programs are conducted, usually housing classrooms, gymnasium, library, and offices for academy instructors and staff. Other facilities, such as a firing range and driver-training track, are usually considered to be part of the academy but may not necessarily be located at the same site. The academy may be located at or near headquarters, on the campus of an institution of higher education, or at some other location.

**ADMINISTRATIVE REVIEW:** A documented review of an incident or occurrence prepared by or for the CEO or his/her designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.

**ALL HAZARD PLAN:** See Emergency Operation Plan.

**AMBER ALERT:** (America's Missing: Broadcast Emergency Response plan) Law enforcement, media/broadcasters, transportation and other partners working together to disseminate information to the public in response to the most serious child abduction cases. The twelve elements of an AMBER plan include: the name of plan, stakeholders, memorandum of understanding, criteria, quality control, measures, activation protocol, tools to activate, technology training, phone bank, after action reports and oversight committee.

**ANALYSIS:** A systematic, structured process for dissecting an event into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs and/or policy modification needs.

**APPLICANT:** Any person who applies or makes formal application for employment.

**ARREST:** To deprive a person of his/her liberty by legal authority. (Black's Law Dictionary.) (See Custody; Full-Custody Arrest; Physical Arrest.)

**ARRESTING OFFICER:** A sworn law enforcement officer who takes a person into custody, with or without a warrant.

**ASSESSMENT CENTER:** A standardized evaluation of behavior based upon multiple sources of input and using trained observers and multiple techniques. Judgments about behavior are made from specially

developed assessment exercises designed to measure the participant's performance in specific job-related tasks and situations.

**AT RISK PERSONS:** Any person who is physically or mentally challenged and who poses a risk to themselves or others, e.g., mental disorders, suicidal, Alzheimer's patients, or diabetics.

**AUDIT:** (Standard 17.4.3) A sampling and review of financial records and practices that conforms to generally accepted standards as prescribed by the American Institute of Certified Public Accountants, Government Finance Officers Association, or local legislation. (Standard 84.1.6c) A significant representative sampling of property including high-risk items.

**AUXILIARY:** A non-sworn, unarmed, uniformed or non-uniformed, affiliate whose duties contribute to the mission of the agency in a support capacity. Included are police volunteers, law enforcement cadets, law enforcement explorers, senior citizen groups, and other volunteers. Excluded are part-time paid employees of the agency and reserve officers.

**AVAILABLE WORK FORCE:** The largest potential group or number of individuals eligible, qualified, and capable of assuming specific activities and responsibilities.

## B

**BIAS BASED PROFILING:** The selection of an individual(s) for enforcement action based solely on a trait common to a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

**BOOKING:** A procedure for admitting to a holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.

## C

**CANDIDATES:** Persons seeking employment who meet the minimum requirements of the agency and have completed a formal application.

**CAREER COUNSELING:** The relationship (process) between trained counselor and employee that is designed to facilitate an employee's career choices, comprehension of career goals, and achievement of career goals through meaningful and well-informed choices.

**CAREER DEVELOPMENT ACTIVITIES:** An organized and supervised set of duties or functions designed to stimulate learning, e.g., counseling, training, job rotations.

**CHAIN OF COMMAND:** Formal lines of communication going downward or upward within the organizational hierarchy through each successive level of command.

**CIRCLE SYSTEM:** A series of fixed roadblocks intended to contain a vehicle or suspect in a given area.

**CIRCULATION PATTERNS:** Concern the movement of persons from place to place and for purposes of Chapter 73 standards are divided into three distinct routes. The first pattern is for the movement of the general public, who are usually allowed free movement from place to place, excluding restricted areas. The second pattern provides controlled access in areas used by judges, officers of the court, juries, or visitors whose presence is under control; in many instances, this pattern is also used to move prisoners under escort from a detention area to court and back. The third pattern is under the control of sworn law enforcement officers or custodial officers and is used exclusively for the movement of prisoners and may contain holding areas. The secure area is inaccessible by other than authorized personnel.

**CIVIL ARREST:** A civil arrest is made pursuant to a written order by a judge of a competent jurisdiction in a civil action or proceeding. Such written orders may be given by a supreme court, the family court, county court, district court, or the surrogate's court, depending upon the area of the country.

**CIVIL PROCESS:** Those writs, summonses, mandates, or other process issuing from a court of law or equity pertaining to a cause of action of a civil nature. The term includes original, intermediate, and final process to be served by the agency in any action involving civil litigants.

**CIVILIAN:** A non-sworn person having no arrest authority as defined in "sworn officer" and "full-custody arrest." Civilians may be employed or affiliated with a law enforcement agency in a variety of supporting roles and may be uniformed, but lack the authority to make a full-custody arrest.

**CLASS:** A grouping of jobs for which duties, responsibilities, qualifications, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices. (See Position for the differentiation among class, job, and position.)

**CLASS SPECIFICATION:** An official statement or guideline about the general duties, responsibilities, and qualifications involved in the kinds of jobs included in the same class.

**COMMENTARY:** The "commentary" is the second of the three parts of a "standard" (standard statement, commentary, and levels of compliance). The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of *one* possible way to comply with the standard.

**COMPONENT:** See Organizational Component.

**CONSTANT SUPERVISION:** The direct, personal supervision and control of a detainee by the attending officer who can immediately intervene on behalf of the agency or the detainee.

**CONTRABAND:** Any item that is illegal to possess, to include items that are not permitted within a holding facility because of their possible use to disrupt security measures within the facility.

**COUNSELING:** The giving of advice; advising. As used: discussions between the rated employee and rater leading to advice to the former concerning performance or career development.

**COURT HOLDING FACILITY:** A holding facility located in or adjacent to a court and outside the confines of a jail, where detainees await their court appearance.

**COURT SECURITY OFFICER:** A person, employed by the law enforcement agency, who performs or who is responsible for the court security function.

**CRIMINAL PROCESS:** Those writs, summonses, mandates, warrants, or other process issuing from a court of law compelling a person to answer for a crime. The term also includes process issued to aid in crime detection or suppression, such as search warrants.

**CRITICAL INCIDENT:** An occurrence or event, natural or human-caused, which requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response, such as major planned events and law enforcement incidents.

**CRITICAL MISSING:** A reported missing person who is missing and foul play may be a factor; or any child (as defined by the local jurisdiction) or any at risk person.

**CUSTODY:** Legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person. (See Arrest; Full-Custody Arrest; Physical Arrest.)

## D

**DEMONSTRATED PROFICIENCY:** Attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. Proficiency for firearms includes qualifying on a prescribed course. Proficiency for electronic control weapons includes successfully loading, unloading, deploying and discharging the prongs of the weapon on an annual basis.

**DETAINEE:** A person in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

**DISABLED DETAINEE:** A detainee with an anatomical, physiological, or mental impairment that hinders mobility.

**DIVERSION:** In the broadest sense, any procedure that (1) substitutes non-entry for official entry into the justice process, (2) substitutes the suspension of criminal or juvenile proceedings for the continuation of those proceedings, (3) substitutes lesser supervision or referral to a non-justice agency or no supervision for conventional supervision, or (4) substitutes any kind of non-confinement status for confinement.

## E

**EMERGENCY OPERATION PLAN (EOP):** Commonly referred to as an "ALL HAZARD PLAN," an EOP is a written plan containing general objectives reflecting the overall strategy for responding to and



managing critical incidents. The plan defines the scope of preparedness and incident management activity required of the agency, and is flexible enough for use in all emergencies.

**EMOTIONAL STABILITY/PSYCHOLOGICAL FITNESS EXAMINATION:** Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either deleterious or advantageous to successful job performance.

**EMPLOYEE ASSISTANCE PROGRAM (EAP):** A formal program designed to assist in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee's personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress, and other personal matters.

**EQUAL EMPLOYMENT OPPORTUNITY:** The provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, sex, religion, national origin, or physical impairment. Where a recruitment plan focuses on additional recruitment steps to be taken to increase the likelihood of hiring a member of an underrepresented group, EEO focuses on ensuring that applicants are treated fairly in the selection process (and in other personnel activities) by giving them the same opportunities for employment. The role of equal opportunity is to create a "level playing field" for all applicants and employees. An equal employment opportunity plan is a document that is designed to state the steps the agency intends to take to ensure that there are no artificial barriers that would prevent members of a protected group from a fair and equitable opportunity to be hired, promoted, or to otherwise take advantage of employment opportunities.

**EVALUATION:** A careful appraisal and study to determine the significance and/or worth or condition, and to draw conclusions pertaining to an item, project, or undertaking.

**EXECUTION:** The performance of an act required by a writ, warrant, or other legal process commanding the seizure of a person or thing, as opposed to mere delivery of an instrument without any concomitant seizure. For the purposes of Chapter 74, a legal attachment is deemed an execution.

**EXERCISE:** Gathering of individuals inclusive of government and private sector persons, to develop plans, practice simulated implementation, and to discuss each agency's role in handling unusual occurrence incidents. This could include tabletop, functional, and/or full field exercises.

## F

**FIELD TRAINING:** A structured and closely supervised program provided to recruit officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

**FIELD TRAINING OFFICER (FTO):** An officer who has been carefully selected and trained to deliver the field training program to recruit officers.

**FIXED ROADBLOCK:** A full or partial roadblock established at a fixed point.

**FOLLOW-UP INVESTIGATION:** An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.

**FORMAL APPLICATION:** A written form used to express interest in employment and to request information on a person's basic occupational qualifications, work experience, educational background, training, and special skills or abilities.

**FULL-CUSTODY ARREST:** Arrest authority, with or without a warrant, which includes the legal authority to physically remove a person from their location, taking that person to a place of confinement or judicial authority.

For interpretive purposes, the line of demarcation between sworn and non-sworn (or civilian) agency personnel exists with the authority to make a full-custody arrest. A sworn officer has authority to make a full-custody arrest; a non-sworn person does not.

Non-sworn personnel (civilians) may have limited authority to stop and detain persons (such as authority granted security guards), or stop and issue a notice to appear in court (such as authority granted traffic enforcement aides), but they do not possess authority to make a full-custody arrest. A full-custody arrest includes the authority to deny persons their freedom, using force if necessary, to effect the arrest. (See Arrest, Custody; Physical Arrest.)

**FUNCTION:** A general term for the required or expected activity of a person or an organizational component, e.g., patrol function, communications function, the planning function, the crime analysis function.

## G

**GENERAL ORDER:** A term used by some agencies to describe directives of a long standing nature concerned with policy, rules, and procedures affecting more than one organizational component.

**GOAL:** A relatively broad statement of the end or result that one intends ultimately to achieve. A goal usually requires a relatively long time span to achieve and, whenever possible, should be stated in a way that permits measurement of its achievement.

## H

**HOLDING FACILITY:** A confinement facility outside of a jail where detainees are housed, receive meals, and can be detained for periods involving days and overnight stays for a period of not more than 72 hours, excluding holidays and weekends.

## I

**IDENTITY THEFT:** The wrongful use of another person's identifying information, such as credit card, social security, or driver's license numbers to commit financial or other crimes.

**INCIDENT:** An event that requires law enforcement action, documentation, or the dispatching of agency personnel in response to citizen requests for law enforcement services. This includes any incident, whether criminal or non-criminal, which involves a response to the scene, an investigation, or the preparation of an oral or written report.

**INCIDENT COMMAND SYSTEM (ICS):** A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property and the environment. There are five major components: command, planning, operation, logistics, and finance/administration.

**IN CUSTODY:** Being under the full control of a law enforcement officer. (See Full-Custody Arrest.)

**IN-SERVICE TRAINING:** Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and shift briefing training.

**INSPECTION:** A careful and critical examination; a formal review of all components of a particular requirement and an examination of their application.

**INSTITUTION:** A facility that confines persons against their will and/or provides care for persons, e.g., mentally ill, adult or juvenile offenders.

**INTAKE:** The point at which a juvenile offender enters the juvenile justice system. "Intake" may be initiated on request of the law enforcement agency, but the intake process is generally supervised by a probation agency, juvenile court, or special intake unit.

**INVENTORY:** A detailed, itemized list, report, or record of items in one's possession or the process of making such a list, report, or record. A written list or catalog of the property of an individual or agency. (Standard 17.5.1) A detailed itemized list of agency owned or controlled property in possession of the agency, which includes a definition (or value) of what is to be itemized, and a written certification by the person conducting the listing. (Standard 84.1.6b) A complete documented accounting of all high-risk items, e.g., cash, precious metals, jewelry, firearms, and drugs, and a sufficient accounting of other evidence and non-agency property to establish that all property is accounted and records can reasonably be assumed to be correct.

## J

**JAIL:** A confinement facility where detainees are housed in excess of 72 hours.

**JOB DESCRIPTION:** An official written statement setting forth the duties and responsibilities of a job, and the skills, knowledge, and abilities necessary to perform it.

**JOB RELATED:** A procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

## L

**LATERAL ENTRY:** The hiring of new employees at advanced ranks or salary based on prior experience elsewhere and/or other job credentials.

**LAW ENFORCEMENT SERVICES UNDER CONTRACT:** The provision of paid law enforcement services in accordance with a written contract. This does not encompass a situation in which an individual performs services for an agency under a personal services contract.

**LEGAL PROCESS:** Any item of civil or criminal process, whether original, intermediate, or final that is valid on its face and is to be served or executed by the law enforcement agency.

**LESSON PLAN:** A detailed guide from which an instructor teaches. The plan includes the goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

**LINE INSPECTION:** Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspection may be carried out by any supervisor within the chain of command and is often conducted by supervisory personnel who may also be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

## M

**MEMORANDUM:** An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.

**MENTAL ILLNESS:** Any condition characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma.

**MOVING ROADBLOCK:** Use of one or more moving vehicles to block the roadway and prevent approaching vehicles from continuing.

## N

**NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS):** A system for incident management that provides a consistent nationwide approach for federal, state, local and non-governmental organizations to work effectively and efficiently to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

## O

**OBJECTIVE:** An objective is an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a subgoal or an element of a goal, and therefore, requires a shorter time to accomplish than does a goal.

**ORGANIZATIONAL COMPONENT:** A subdivision of the agency, such as a bureau, division, section, unit, or position that is established to provide a specific function.

**OUTSIDE ACADEMY:** An academy not operated by the agency, such as a regional or state training academy providing recruit, in-service, or specialized training.

## P

**PERSONNEL EARLY WARNING SYSTEM:** A system for the early identification of agency employees who may need some type of corrective action or intervention and a procedure for collecting and evaluating materials required for implementing such corrective action.

**PERSONAL EQUIPMENT:** Equipment items issued and/or approved by the agency for employee use, e.g., badge, baton and holder, belts, cartridge carrier, departmental and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, side arm and holster, tear gas canister, and whistle.

**PHOTOGRAPHIC LINEUP:** A selected group of photographs of persons presented to a witness containing a single suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

**PHYSICAL ARREST:** Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court. (See Arrest; Custody; Full Custody Arrest.)

**PHYSICAL LINEUP:** A selected group of persons presented to a witness containing a suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

**PHYSICAL PLANT:** The real property facilities housing the agency, its employees and property, including buildings, garages, and other structures. For a holding facility, its physical confines, including the reception area, sallyport, holding cells, and related spaces. If used only for booking detainees into the holding facility, the booking area is also included.

**PLAN:** Documented identification of methods to achieve desirable goals or conditions.

**POLICY:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as “may” or “should” and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules and regulations.

**POSITION:** The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant. For purposes of comparison, a patrol officer assigned as a court officer would occupy a “position.” Patrol officer would be the “job.” A position may have functional responsibility for a single task, e.g., court officer, patrol officer, crime prevention officer, or over several combined tasks, e.g., administrative lieutenant responsible for planning, budget, staff inspections, and internal affairs.

**PRELIMINARY INVESTIGATION:** Generally, the activity that begins when personnel arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

**PROCEDURE:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of “shall” rather than “should,” or “must” rather than “may.” Procedures sometimes allow some latitude and discretion in carrying out an activity.

**PROCESSING:** Includes pre-booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or be escorted to a holding facility, at which time they would be booked.

**PURSUIT:** An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

## R

**REASONABLE BELIEF:** The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**RECRUITMENT ACTIVITIES:** A systematic method of seeking potentially qualified job applicants.

**RECRUITMENT LITERATURE:** Written materials or brochures designed to attract qualified applicants for jobs.

**RECRUITMENT PLAN:** A written plan for actively recruiting underrepresented minorities and women. A recruitment plan assumes the agency is doing more than just fairly implementing their selection procedures and instruments, e.g., providing equal opportunity. Proactive recruitment requires additional steps, where necessary, to increase the likelihood of attracting qualified applicants of protected groups that are insufficiently represented in the agency’s sworn ranks.

**REMEDIAL TRAINING:** Personalized training to correct a specific deficiency, which is usually identified by either testing or other evaluation during training or supervisory evaluation during routine job performance.

**RESERVE:** A sworn officer, armed or unarmed, who works less than full time, with or without compensation, and who, by their assigned function or as implied by their uniform, performs duties associated with those of a police officer.

**RESTRAINING DEVICES:** Equipment used to restrain the movement of the prisoner, such as handcuffs, flex-cuffs, waist chains, ankle chains, restraining straps, straight jackets, or tie-down stretchers.

**REVIEW:** To examine or study; less formal than an analysis.

**ROADBLOCK:** A restriction, obstruction, or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect.

**ROAD SIDE SAFETY CHECK:** A temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles or their contents or to interview drivers.

**RULES AND REGULATIONS:** A set of specific guidelines to which all employees must adhere.

## S

**SALARY AUGMENTATION:** Pay that is added to the base salary of the employee. Such augmentation may be considered as premium pay, merit pay, differential pay, or a temporary increase because of a temporary assignment to a position with higher base salary.

**SEARCH AND RESCUE:** A coordinated effort to locate individuals missing in a wilderness area, in large bodies of water, or elsewhere. Search and rescue missions usually involve use of aircraft, boats, or other special purpose vehicles and specialized personnel such as scuba divers, mountain climbers, or spelunkers.

**SECONDARY EMPLOYMENT:** Any outside employment, which is either extra-duty or off-duty. Extra-duty employment is any secondary employment that is conditioned on the actual or potential use of law enforcement powers by the officer-employee. Off-duty employment is any secondary employment that is not conditioned on the actual or potential use of law enforcement powers by the off-duty employee.

**SECURITY HAZARD:** Any threat to the security of the prisoner, to the facility in which he or she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by the escort officer to provide proper protection for and security of the prisoner.

**SECURITY SURVEY:** An on-site examination and analysis of security needs that determines the nature and degree of the threat, the exact kind and degree of protective measures used, and the precise kinds of security measures that are required and recommends the appropriate policies, procedures, and equipment needed for the security function.

**SELECTION CRITERIA:** Rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

**SELECTION MATERIALS:** All written tests, test scores, answer sheets, study materials, evaluations, ratings, questionnaires, reports, and forms used in the selection process that have a bearing upon the employment decision.

**SELECTION PROCEDURE:** Any established method or combination of methods used in any way as the basis for an employment decision.

**SELECTION PROCESS:** The combined effect of components and procedures leading to the final employment decision, including minimum qualifications, e.g., education, experience, physical attributes, citizenship, residency-written tests, performance tests, oral exams, interviews, background investigations, medical exams, polygraph tests, police academy ratings, probationary period ratings, personality inventories, interest inventories, psychiatric evaluations, veteran's preference, cut-off scores, and ranking procedures.

**SERIOUS PHYSICAL INJURY:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

**SERVICE:** The delivery of any item of civil process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.

**SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**SHIFT BRIEFING:** Training or informational sessions of short duration administered to law enforcement personnel just prior to, or after, their tour of duty.

**SHOW-UP:** A witness views a single suspect for purposes of identification of the suspect as the perpetrator of the crime.

**SKILLS, KNOWLEDGE, AND ABILITIES:** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**SPECIAL EVENT:** An activity, such as a parade, athletic contest, or public demonstration, that results in the need for control of traffic, crowds, or crimes.

**SPECIAL PURPOSE VEHICLE:** A vehicle that requires special training or authorization for deployment. This includes, but is not limited to: SWAT trucks, bomb disposal vehicles, mobile command posts, aircraft, watercraft, and motorcycles. Bicycles, all-terrain vehicles, snowmobiles, and *Segways* may fall under the definition of a special purpose vehicle, if the agency or law requires special licensing or training prior to their use.

**SPECIALIZED ASSIGNMENT:** An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

**SPECIALIZED TRAINING:** Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job-specific subjects, e.g., homicide investigation, fingerprint examination, juvenile investigation.



**SPECIAL ORDER:** A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

**STAFF INSPECTION:** Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. Staff inspectors in larger agencies are generally members of a specialized component responsible for conducting inspections throughout the agency. The results of staff inspections are usually reported to the agency's chief executive officer.

**STATUS OFFENSE:** An act or conduct declared by statute to be an offense only when committed or engaged in by a juvenile, and adjudicated only by a juvenile court.

**SWORN OFFICER:** A person who is granted those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction, including those persons who possess authority to make a full-custody arrest for limited or specific violations of law within the same jurisdiction.

## T

**TACTICAL TEAM:** A group of officers who are specially selected, trained, and equipped to handle high-risk incidents, such as those involving snipers, barricaded persons, hostage-takers, selected warrant services, and other situations or activities as deemed necessary by command leadership.

**TASK:** A unit of work performed by an individual to accomplish the goal of a job.

**TASK ANALYSIS:** A systematic, structured process for dissecting a job into its basic parts. A task analysis identifies the important or essential elements of a job, the key work behaviors, and the knowledge, skills, and abilities required for these work behaviors.

**TASK FORCE:** Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.

**TEMPORARY DETENTION:** Temporary detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances.

**TERRORISM:** Under the Homeland Security Act of 2002, terrorism is defined as activity that involves an act dangerous to human life or potentially destructive of critical infrastructure or key resources and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States in which it occurs and is intended to intimidate or coerce the civilian population or influence a government or affect the conduct of a government by mass destruction, assassination, or kidnapping.

**TRAFFIC ENGINEERING AUTHORITIES:** Persons responsible for traffic engineering in various local, regional, and state agencies, e.g., street or highway department, public works department, transportation department.

**TRAFFIC SURVEY:** An examination of traffic characteristics, such as volume, speed, delay, accidents, origin, destination, etc.

**TRANSPORT VEHICLE:** The vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest; a vehicle of a correction facility designated for prisoner transport but also used for other purposes; or a specially designed prisoner transport vehicle, such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

**TRANSPORTING OFFICER:** A person who is responsible for transporting a prisoner from one point to another. This may be the arresting officer or another agency employee who is assigned to the responsibility for transport.

## U

**UNITY OF COMMAND:** The concept that each individual in the organization has one, and only one, immediate supervisor.

**UNIFIED COMMAND:** Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

**UNLAWFUL HARASSMENT:** Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

## V

**VALIDITY:** Proof through statistical data that a given component of the selection process is job related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

**VICTIM:** A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his or her person or property.

**VIP:** A "very important person," dignitary, famous personality, notorious person, or any other person in need of special security.

**VOLUNTEERS:** See Auxiliary.

## W

**WORKLOAD:** The sum total of cases and other measurable activities occurring within a given area or time period.

**WRITTEN DIRECTIVE:** Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

## APPENDIX B

# GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS

### 1.0 Functions Performed or Delegated

#### **1.1 An agency that delegates functions to other agencies is held accountable for compliance with applicable standards governing those functions.**

For example, even though an agency delegates its communication functions to a regional center and its recruit training to a neighboring law enforcement agency, the agency remains responsible for the functions and, therefore, for compliance with the standards related to those functions.

#### **1.2 An agency for which functions are performed on its behalf by another entity is held accountable to verify compliance with applicable standards governing those functions.**

An agency remains accountable for the performance of functions that the Commission determines are applicable for an agency of its size and type, even if the function is performed by another organization. This applies to functions delegated (as in 1.1) and functions that are traditionally performed by another entity. This includes recruitment, selection, and promotion, which may be the responsibility of a civil service board or central personnel agency.

#### **1.3 An agency can be held accountable for functions governed by standards, if the Commission determines that an agency of its size and type should perform the function.**

Ordinarily, this matter is resolved before the self-assessment, but agencies should be aware of this guiding principle.

#### **1.4 If an agency performs functions governed by standards designated as “not applicable,” the agency must comply with those standards.**

This guideline applies in those cases where, because of an agency’s size, the standard is “not applicable.” If the agency performs the function, regardless of whether the standard is designated as not applicable, the manner in which the agency performs the function must not be in conflict with the relevant standard.

## **1.5 If an agency occasionally performs a function governed by standards, its operations in this regard must not be in violation of the applicable standards.**

“Occasional” performance might include: (1) a nonfull-service sheriff’s office which, several times a month, backs up the local law enforcement agency at times when the law enforcement agency may be shorthanded; (2) a small law enforcement agency which, a few Friday nights a month, must hold prisoners for several hours in a holding area within the agency because the lock-up normally used by the agency is full; or (3) a large agency that normally utilizes a regional law enforcement training center holds in-service training programs several times a year because the demand for retraining increases due to problems which are unique to that agency. Agencies that occasionally perform functions should ensure that its operations do not violate the standards. Commission staff should be consulted by the self-assessing agency if questions arise in this regard.

## **2.0 Standards**

### **2.1 An agency can exceed the requirement of a standard.**

A semiannual reporting requirement may be done quarterly. This is but one example of how an agency’s performance can exceed the standard.

### **2.2 A standard may be not applicable if the agency does not have responsibility for the functions addressed by the standard, providing the Commission concurs.**

A procedure by which to establish non-applicability is included in the self-assessment process.

### **2.3 Unless otherwise indicated, standards related to personnel matters apply to all agency employees.**

Some standards indicate applicability to sworn or to civilian personnel. Where that differentiation is not made, the standard applies to all agency personnel.

### **2.4 Personnel shall be assessed according to the glossary terms.**

There is no need for an agency to change its definitions or titles for positions, employees, or other individuals affiliated with the agency. The standards will be assessed using the glossary terms found in this manual in comparison to the agency’s actual utilization of the personnel being assessed. The glossary terms define four types of agency personnel: (1) sworn, (2) reserve, (3) auxiliary, and (4) civilian. Sworn and reserve personnel have the authority to make a full custody arrest while auxiliaries and civilians do not. The distinction between sworn and civilian personnel is predicated on the authority to make a full-custody arrest as defined in this manual, not on the basis of taking an oath of office. There may be employees, auxiliaries, or other persons affiliated with the agency who are required to take an oath, wear a uniform, and perform quasi-law enforcement duties such as detention or transportation of detainees, but they are not considered sworn or reserve law enforcement officers unless their authority includes the authority to complete a full-custody arrest.

## **3.0 Written Directives**

**3.1 A written directive can be a policy, plan, procedure, rule, general or special order, training directive, or other document that is binding upon agency personnel.**

The objective of a written directive standard is to require written policy. The form of that written policy can be what the agency has determined best fits its written directive system.

**3.2 An agency does not need to have an individual directive for each standard requiring a written directive; the agency may have a single manual or directive covering several standards.**

The accreditation process is not intended to generate unnecessary paperwork for the agency. A written directive, general order, plan, etc., may serve to document a number of standards. The agency may list one source of documentation as many times as appropriate.

Assessors must go beyond merely verifying the existence of a directive and must determine whether the content of the written directive meets the standard requirement. Assessors may choose to verify the agency's compliance with any written directive standard. If the observation of agency operations raises questions about compliance with the written directive, the assessor must resolve the compliance question through a review of additional written materials, or if appropriate, further observations, or interviews.

**3.3 A written directive is the foundation for functional compliance with written directive standards. Adherence to written directives will generate other documentation (known as "proofs"), activities, or conditions, which will be necessary to prove continuing compliance.**

It is recognized that historical "proofs" for an initial accreditation will likely be fewer in comparison to an agency documenting compliance for reaccreditation. The methods used by assessors to determine compliance are multi-dimensional and include a review of agency directives, determining historical continuity in agency documentation or "proofs," conducting interviews, evaluating panel presentations, and considering input from the public. Compliance with individual standards is rarely verified by using only a written directive.

## **4.0 Assessors**

The final three principles pertain to assessors. They are presented for purposes of information, without comments.

**4.1 Assessors may go outside the proofs of compliance cited in the Assessor's Manual.**

**4.2 Assessor may go outside the agency to verify compliance.**

**4.3 Assessors must verify agency compliance with every standard listed by the Commission.**

## APPENDIX C

# FORM FOR RAISING STANDARDS-RELATED ISSUES

COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.

### STANDARDS REVIEW FORM

(Use one form per standard and attach additional pages if more space is required for submitting information. Duplicate form for additional standards.)

**STANDARD NUMBER:** \_\_\_\_\_

Check one of the following:

New Standard       Deletion       Revision       Interpretation

**Explanation of Action Requested:**

**Proposal:** (Use current standard, commentary, and/or level of compliance that appears in the manual. Use lower case for existing text; strikeout text that is to be changed or deleted; present new or suggested language in BOLD CAPS. As an alternative, you may present your exhibit twice: as it currently appears in the manual followed by the format you are recommending.)

**Submitted by:**

**Name:**  
**Title:**  
**Agency:**  
**Address:**  
**City, State, Zip:**  
**Phone:**  
**Email:**  
**FAX:**

**Send to:**

**CALEA®**  
**10302 Eaton Place, Suite 100**  
**Fairfax, VA 22030-2215**  
**(800) 368-3757**  
**calea@calea.org**  
**FAX: (703) 591-2206**

## APPENDIX D

### TRANSITION POLICY

The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®), in order to maintain its commitment to excellence and maintain standards that ensure the highest level of professionalism, recognizes and accepts the need for periodic review and evaluation of the standards. The Commission convened a Standards Review Focus Group to evaluate 4th Edition standards; address concerns expressed by law enforcement, as well as to strengthen the program.

Upon the recommendation of its Standards Review Focus Group, the Commission approved the 5th Edition of the *Standards for Law Enforcement Agencies* (SLEA) on November 18, 2005. On July 1, 2006, the 5th Edition, including all changes, become effective for agencies participating in the accreditation program. A majority of the new changes involve clarification of commentary language, consolidation of topics or chapters, and selected changes in compliance levels based on agency size.

The Commission encourages all agencies to begin converting to the 5th Edition of the SLEA as soon as practical. The Commission also recognizes these changes may be disruptive to agencies approaching an on-site assessment. To ensure a reasonable and orderly transition, the Commission has established a transition period, which will end on October 1, 2007.

CALEA staff will begin immediately to prepare, publish and distribute the 5th Edition SLEA, descriptive overviews, and standards crosswalk. Additionally, ancillary publications and materials, including the automated CACE program, will be modified appropriately. These materials will be distributed; at no cost, as a single, complete package to all client agencies no later than July 1, 2006.

To accommodate accredited agencies, which may have an on-site assessment for reaccreditation during the transition period, the Commission will allow those agencies the option of complying with either the 4th or the 5th Edition SLEA. Agencies may not select or interchange standards from another edition. Agencies must notify staff of their edition selection at least 90 days prior to their scheduled assessment. Accredited agencies desiring to comply with the 5th Edition SLEA must demonstrate continuing compliance with appropriate 4th Edition standards. However, they will only be required to demonstrate proof of compliance with new 5th Edition standards at the time of assessment. CALEA staff will provide a list of new standards that are applicable to the 5th Edition. Generally, new standards do not include the 4th Edition standards to which changes were made and included into the 5th Edition.

All assessments conducted on or after October 1, 2007 will be of 5th Edition standards.

Options extended to accredited agencies are also available to agencies preparing for their initial on-site assessment. Agencies are encouraged to adopt the 5th Edition as soon as possible. However, if the anticipated initial on-site assessment will be completed during the transition period, the agency may select to be assessed and receive accredited status using the 4th Edition standards. As in reaccreditation on-sites, initial assessments are subject to the 90-day staff notification of edition choice. Only the standards in the selected edition will be used to assess the agency.



All new agencies signing contracts for initial accreditation on or after July 1, 2006 will be required to use the 5th Edition SLEA exclusively. Agencies signing contracts for initial accreditation before July 1, 2006, may use either the 4th Edition or the 5th Edition, provided that an agency opting to comply with standards in the 4th Edition must experience an on-site assessment within the stated transition period. Under no circumstances will any agency be allowed to comply with standards from both editions on a selective basis.

The Guiding Principles for Agencies and Assessors (Appendix B) and relevant formal decisions of the Standards Review and Interpretation Committee (SRIC) also remain valid. These interpretations are printed in the 5th Edition after and separate from the standard commentary.

The Commission's Executive Director is authorized to grant exceptions and/or extensions to this transition policy on a case-by-case basis after documenting all requests and subsequent decisions. The decision of the Executive Director may be appealed to the Standards Review and Interpretation Committee.

## APPENDIX E

### LIST OF TIME SENSITIVE ACTIVITIES

The list of time sensitive activities is an aide to facilitate agencies in complying with standards that require reports on a time period basis. This list is based on time requirements stated in the standards. Agencies are cautioned that this list should be considered only as a guide. Depending on conditions, a number of standards require the agency to periodically review, modify, or take some action.

This list is presented in two formats, by standard order, and by time period.

#### TIME SENSITIVE ACTIVITIES BY STANDARD ORDER

STAND.	ACTION	DESCRIPTION	LEVEL	FREQUENCY
1.2.9 (d)	Review	Bias Based Profiling	M M M M	Annual
1.3.6	Report	Use of force occurrence	M M M M	Incident
1.3.7	Review	Use of force reports required in standard 1.3.6	M M M M	Incident
13.11	Report	Use of force policies, lethal and electronic controlled weapons proficiency	M M M M	Annual
13.11	Report	Use of force policies & less lethal weapons proficiency	M M M M	Biennial
13.13	Analysis	Use of force reports	M M M M	Annual
15.2.1	Report	Updating written goals & objective for agency & each organization component	M M M M	Annual
16.1.2	Report	Periodic workload assessments	NA O M M	Triennial
16.2.1	Review	Specialized assignments	NA O O O	Annual
17.2.2	Report	Budget recommendations by major functions	NA O O O	Annual
17.4.1	Report	Fiscal management status reports	M M M M	Monthly
17.4.2 (f)	Report	Cash funds	M M M M	Quarterly
25.1.3	Analysis	Employee grievances	O O M M	Annual
33.5.1	Activity	Legal update training	M M M M	Annual
35.1.2	Report	Employee performance evaluation	M M M M	Annual

35.1.3	Report	Entry level employee performance evaluation	M M M M	Quarterly
35.1.9(c)	Evaluation	Personnel Early Warning System	M M M M	Annual
41.2.2(i)	Review	Pursuit report	M M M M	Incident
41.2.2(j)	Analysis	Pursuit report	M M M M	Annual
41.2.3(e)	Review	Use of roadblocks and forcible stops	M M M M	Incident
41.2.7(e)	Report	Training on dealing with the mentally ill	M M M M	Triennial
42.1.6(i)	Review	Criminal Intelligence Procedures and Process	M M M M	Annual
44.1.3	Review	Juvenile enforcement and prevention programs	NA O O O	Annual
45.1.1(c)	Evaluation	Effectiveness of crime prevention	NA O O M	Triennial
45.2.2	Report	Community involvement report to CEO	NA O O O	Quarterly
45.2.4	Survey	Citizen attitudes & opinions of agency, safety & security & how to improve	O O O O	Triennial
46.1.3(h)	Report	After action report for critical incidents	M M M M	Incident
46.1.8	Inspection	Critical incident equipment readiness	M M M M	Quarterly
46.1.9	Report	Training on "All Hazard" plan	O M M M	Annual
52.1.5	Report	IA investigations statistical summary	O O O O	Annual
53.2.1(e)	Inspection	Staff inspection of all organizational components	NA O O O	Triennial
55.1.2	Review	Victim/Witness Assistance needs	NA O O O	Triennial
61.3.4(e)	Review	Need for location of adult crossing guards	O O O O	Annual
70.1.7(b)	Report	Escape of prisoner being transported	M M M M	Incident
71.2.1	Activity	Temporary detention training	M M M M	Triennial
71.4.3	Review	Temporary detention procedures	M M M M	Triennial
72.1.1	Activity	Holding facility training	M M M M	Triennial
72.3.1(a)	Inspection	Fire equipment	M M M M	Weekly
72.3.1(a)	Test	Fire equipment	M M M M	Semi-annual
72.3.3	Inspection	Sanitation	M M M M	Weekly
72.4.6	Inspection	Security inspection for weapons and contraband	M M M M	Weekly

72.4.11	Report	Threat to facility or person	M M M M	Incident
72.6.2	Inspection	First-aid kit	M M M M	Weekly
73.2.1 (c)	Survey	Court security needs - facilities/emergencies/ high risk exposure/equipment	M M M M	Triennial
73.5.1	Activity	Court holding facility training	M M M M	Triennial
73.5.6	Inspection	First-aid kit	M M M M	Weekly
73.5.9(a)	Inspection	Fire equipment	M M M M	Weekly
73.5.9(a)	Test	Fire equipment	M M M M	Semi-annual
73.5.11	Inspection	Sanitation	M M M M	Weekly
73.5.17	Inspection	Security inspection for weapons and contraband	M M M M	Weekly
73.5.21	Report	Threat to facility or person	M M M M	Incident
81.3.2	Inspection	Alternate source of power	M M M M	Monthly
81.3.2	Test	Alternate source of power, test under full load	M M M M	Annual
82.1.6(d)	Audit	Central records computer system	M M M M	Annual
84.1.6(a)	Inspection	Property control procedures by evidence/ property custodian	M M M M	Semi-annual
84.1.6(b)	Inventory	Change in property/evidence custodian	M M M M	Incident
84.1.6(c)	Audit	By supervisor not directly connected to function	M M M M	Annual
84.1.6(d)	Inspection	Unannounced inspections as directed by CEO	M M M M	Annual

#### **TIME SENSITIVE ACTIVITIES BY TIME PERIOD**

16.1.2	Report	Periodic workload assessments	NA O M M	Triennial
41.2.7	Report	Training on dealing with the mentally ill	M M M M	Triennial
45.1.1	Evaluation	Effectiveness of crime prevention	NA O O M	Triennial
45.2.4	Survey	Citizen attitudes & opinions of agency, safety & security & how to improve	O O O O	Triennial
53.2.1 (e)	Inspection	Staff Inspection of all organizational components	NA O O O	Triennial
55.1.2	Review	Victim/Witness Assistance needs	NA O O O	Triennial
71.2.1	Activity	Temporary detention training	M M M M	Triennial

71.4.3	Review	Temporary detention procedures	M M M M	Triennial
72.1.1	Activity	Holding facility training	M M M M	Triennial
73.2.1 (c)	Survey	Court security needs - facilities/emergencies/ high risk exposure/equipment	M M M M	Triennial
73.5.1	Activity	Court holding facility training	M M M M	Triennial
1.3.11	Report	Use of force policies & less lethal weapons proficiency	M M M M	Biennial
1.2.9 (d)	Review	Bias Based Profiling	M M M M	Annual
1.3.11	Report	Use of force policies, lethal and electronic controlled weapons proficiency	M M M M	Annual
1.3.13	Analysis	Use of force reports	M M M M	Annual
15.2.1	Report	Updating written goals & objective for agency & each organization component	M M M M	Annual
16.2.1	Review	Specialized assignments	NA O O O	Annual
17.2.2	Report	Budget recommendations by major functions	NA O O O	Annual
25.1.3	Analysis	Employee grievances	O O M M	Annual
33.5.1	Activity	Legal update training	M M M M	Annual
35.1.2	Report	Employee performance evaluation	M M M M	Annual
35.1.9 (c)	Evaluation	Personnel Early Warning System	M M M M	Annual
41.2.2 (j)	Analysis	Pursuit report	M M M M	Annual
42.1.6 (i)	Review	Criminal Intelligence Procedures and Process	M M M M	Annual
44.1.3	Review	Juvenile enforcement and prevention programs	NA O O O	Annual
46.1.9	Report	Training on "All Hazard" plan	O M M M	Annual
52.1.5	Report	IA investigations statistical summary	O O O O	Annual
61.3.4 (e)	Review	Need for location of adult crossing guards	O O O O	Annual
81.3.2	Test	Alternate source of power, test under full load	M M M M	Annual
82.1.6 (d)	Audit	Central records computer system	M M M M	Annual
84.1.6 (c)	Audit	By supervisor not directly connected to function	M M M M	Annual
84.1.6 (d)	Inspection	Unannounced inspections as directed by CEO	M M M M	Annual

72.3.1 (a)	Test	Fire equipment	M M M M	Semi-annual
73.5.9(a)	Test	Fire equipment	M M M M	Semi-annual
84.1.6(a)	Inspection	Property control procedures by evidence/ property custodian	M M M M	Semi-annual
17.4.2(f)	Report	Cash funds	M M M M	Quarterly
35.1.3	Report	Entry level employee performance evaluation	M M M M	Quarterly
45.2.2	Report	Community involvement report to CEO	NA O O O	Quarterly
46.1.8	Inspection	Critical incident equipment readiness	M M M M	Quarterly
17.4.1	Report	Fiscal management status reports	M M M M	Monthly
81.3.2	Inspection	Alternate source of power	M M M M	Monthly
72.3.1 (a)	Inspection	Fire equipment	M M M M	Weekly
72.3.3	Inspection	Sanitation	M M M M	Weekly
72.4.6	Inspection	Security inspection for weapons and contraband	M M M M	Weekly
72.6.2	Inspection	First-aid kit	M M M M	Weekly
73.5.6	Inspection	First-aid kit	M M M M	Weekly
73.5.9(a)	Inspection	Fire equipment	M M M M	Weekly
73.5.11	Inspection	Sanitation	M M M M	Weekly
73.5.17	Inspection	Security inspection for weapons and contraband	M M M M	Weekly
1.3.6	Report	Use of force occurrence	M M M M	Incident
1.3.7	Review	Use of force reports required in standard 1.3.6	M M M M	Incident
41.2.2(i)	Review	Pursuit report	M M M M	Incident
41.2.3(e)	Review	Use of roadblocks and forcible stops	M M M M	Incident
46.1.3(h)	Report	After action report for critical incidents	M M M M	Incident
70.1.7 (b)	Report	Escape of prisoner being transported	M M M M	Incident
72.4.11	Report	Threat to facility or person	M M M M	Incident
73.5.21	Report	Threat to facility or person	M M M M	Incident
84.1.6 (b)	Inventory	Change in property/evidence custodian	M M M M	Incident

## APPENDIX F

### LIST OF OBSERVATION STANDARDS

Some Observation standards may require additional documentation. For example, “while an alternative source of electrical power” (81.3.2) may be observed, the standard is also requiring a documented inspection.

<u>STANDARD</u>	<u>DESCRIPTION</u>	<u>LEVEL</u>
16.4.3	If auxiliaries wear uniforms, the uniforms clearly distinguish them from sworn officers	M M M M
41.3.1	Vehicles used in routine/general patrol marked and equipped	M M M M
70.4.1	Prisoner transport vehicles separate driver and prisoner with barrier	M M M M
70.4.2	Prisoner transport vehicles rear compartment modified	M M M M
72.2.1	Holding facility minimum conditions	M M M M
72.4.8	Holding facility emergency alert to designated control point	M M M M
72.4.9	Holding facility officers equipped with alert or panic alarms	M M M M
72.5.3	Holding facility uses separate areas to detain juveniles, males, and females	M M M M
72.6.2	Holding facility first-aid kit availability	M M M M
72.6.4	Procedures for medical service posted in local languages	O O O O
73.4.1	Availability and readiness of equipment for court security function	M M M M
73.4.2	Means of external communications in courtrooms	M M M M
73.4.3	Duress alarms in courtrooms	O O O O
73.5.6	Court holding facility first-aid kit availability	M M M M
73.5.8	Court holding facility minimum conditions	M M M M

73.5.18	Court holding facility emergency alert to designated control point	M M M M
73.5.19	Court holding facility personnel equipped with alert or panic alarms	M M M M
73.5.22	Procedures for medical service posted in local languages in the court holding facility	O O O O
81.1.2	Federal Communications License	M M M M
81.2.1	Agency has 24-hour toll-free telephone access for emergencies	M M M M
81.2.2	Continuous 24-hour 2-way radio communication to officers	M M M M
81.2.5	Communications center access to duty rosters/ residence phone numbers/maps/officer status	M M M M
81.2.9	Agency participates in local/state/federal criminal justice information systems	M M M M
81.3.1	Communications center security measures in place	M M M M
81.3.2	Alternate source of power for communications center	M M M M
81.3.3	Agency telephone system designed to separate emergency from nonemergency	O O O O
81.3.4	Agency use of multichannel mobile or portable radio equipment	O O O O
84.1.2	Secure areas for storage of in-custody and evidentiary property	M M M M
84.1.3	Temporary storage areas for in-custody or evidentiary property	M M M M



# APPENDIX G

## FILE CONSTRUCTION AND DOCUMENTATION

This appendix is an aide to assist agencies with constructing appropriate accreditation files, determining the best proofs of compliance, and determining “how many” proofs of compliance are needed in the accreditation file. Instructions are also included for “Mail-off Standards.”

### Proof of Compliance Considerations

In developing proofs of compliance, it is important to ensure:

- a. The directives, documentation, interviews, or observations are relevant and appropriate to the standard being addressed;
- b. Information does not conflict with another standard statement or agency directive, and
- c. The proof or proofs presented show continued compliance throughout the three-year assessment period OR for the time period the standard is applicable to the agency.

### INITIAL ACCREDITATION

When preparing proofs of compliance for files, the accreditation manager should remember that the primary focus of an initial accreditation on-site will be on “systems.”

For the initial accreditation on-site the accreditation manager should emphasize, through documentation, those “systems” the agency uses for organization, management, operations, and support services. This should allow the assessors to make objective judgments concerning the relative effectiveness of agency systems or how well the agency is likely to perform in certain areas, particularly when agency procedures may be relatively new.

Since the thoroughness of the initial on-site is crucial to the agency’s continued success in the accreditation program, a great deal of the assessor’s time will be devoted to the review of the file folders.

Agencies are encouraged to include documentation of periodic reports such as plans, analyses, formal reports, etc., based on the data available. It is understood by the assessors that the information contained in the report may be abbreviated. The purpose of preparing the plan, analysis, etc., is to ensure the contents of the document meet the intent of the standard and to assist in ensuring the proof is

adequate for subsequent on-site inspections. When adequate documentation is provided, even though abbreviated, it may not be necessary to consider a standard as “wet ink” or applied discretion.

## REACCREDITATION

The accreditation manager preparing files for a reaccreditation on-site should focus on the “performance” of the agency. This is particularly true for any standards identified during the previous on-site as applied discretion because of “wet ink.” Preparation of appropriate documentation for all time sensitive reports or activities (listed in the Standards Manual) is the key to a successful reaccreditation on-site assessment. Accreditation managers are provided guidelines for file maintenance minimums in the Standards Manual (see File Construction). **The chart states minimums only and assumes that the proofs offered in the file adequately address the intent of the standard or standard bullet being reviewed.** As with all proofs of compliance, the key to adequate compliance rests with the quality of the information offered for review.

It is understood the nature and volume of some proofs of compliance prohibits placing them in the actual file folder. The accreditation manager may choose to place larger documents in an assessor resource area. Documents of a sensitive nature may need to remain in a secured work area. In any case, an assessor is expected to look beyond the file folder to observe or confirm some agency information, if needed. The accreditation manager should make the information easily accessible to the assessor regardless of the nature of the proof by citing information location and accessibility on the ISSR.

## File Construction

In addition to any required directives, the following three types of proofs should be given consideration when determining compliance:

- a. **written documentation,**
- b. **interviews with appropriate persons, both internal and external to the agency, and**
- c. **proofs of an observable nature.**

In some cases, examples of all three types of proofs may be needed to verify compliance with a specific standard. For another standard, one type of proof may be more appropriate. Except under conditions of unusual time constraints an assessor should consider all proofs identified on the ISSR before requesting additional documentation for a particular standard.

If the standard or the agency directive clearly requires some form of written documentation, one sample per year in the file folder may be appropriate in proving compliance. As an example, consider bullet (c) in standard 84.1.1.

**84.1.1** *A written directive establishes procedures for receiving all in-custody and evidentiary property obtained by employees into agency control, to include:*

- c. *requiring a written report detailing the circumstances by which the property came into the agency's possession and describing each item of property obtained;*

Compliance is most appropriately shown by placing one sample of the report for each year in the file folder, assuming each report meets the agency's directive requirements and the requirements of the standard.

Standard 42.2.4, which does **not** require a written directive or a document, may be verified through the use of interviews with the commander of criminal investigations, a member of patrol, examples of briefing notes, or a combination of these or other forms or proofs.

*42.2.4 The agency has a system that provides for periodic attendance of criminal investigators at shift briefings conducted for patrol officers.*

<b>Guidelines for Proving Compliance with Time Sensitive and Non-Time Sensitive Standards</b>
---

Regarding file maintenance issues, there are two types of standards:

1. Time Sensitive
2. Non-Time Sensitive

Time Sensitive standards are clearly identified in Appendix E of the *Standards for Law Enforcement Agencies*. These standards require an event such as review, analysis, report development, etc at specific time intervals or upon incident occurrence. The following recommendations are offered as guidelines for determining minimum adequate proofs of compliance:

FREQUENCY REQUIRED BY DIRECTIVE AND/OR CALEA STANDARD	RECOMMENDED MINIMUM IN FILE FOR EACH YEAR	RECOMMENDED TOTAL MINIMUM IN FILE
Per Incident	1	3
Daily	1	3
Monthly	2	6
Quarterly	2	6
Semi-Annual	1	3
Annual	1	3
Biennial	1*	1 or 2
Every 3 Years	1*	1

\*May not be applicable if not enough time has elapsed. (Example: new standard or bullet of a new standard and time required is not sufficient for reporting)

If the required documentation is not available, there should be a memo to file explaining the absence of documentation. For example, standard 41.2.2 requires an annual, documented analysis of pursuits.

**41.2.2** *A written directive governs pursuit of motor vehicles, to include:*

- a. evaluating the circumstances;*
- b. initiating officer's responsibilities;*
- c. designating secondary unit's responsibilities;*
- d. specifying roles and restrictions pertinent to marked, unmarked, or other types of police vehicle involvement in the pursuit;*
- e. assigning dispatcher's responsibilities;*
- f. describing supervisor's responsibilities;*
- g. specifying when to terminate pursuit;*
- h. engaging in inter and intrajurisdictional pursuits involving personnel from the agency and/or other jurisdictions;*
- i. requiring a written report and an administrative review of each pursuit; and*
- j. conducting an annual, documented analysis of those reports.*

If there were no pursuits to analyze during a particular year, there should be a memo to file stating such for that particular year.

<b>Proving Compliance with Non-Time Sensitive Standards</b>
---

If the standard *requires the completion of a written report*, there should generally be three reports in the file (one per year). If the standard does not require the completion of a written report, but a directive offered as a proof does require a report, the agency may elect to prove compliance through documentation such as the written reports, interviews, observations, **OR** a combination of any or all three types of proofs. In this case, interviews and/or observations may be used to verify compliance; there is no requirement to provide one document per year in the file. The agency should, however, have any required reports available should the assessor request to verify their existence or format.

If neither the standard nor the agency's directive requires the completion of a written report, the agency may show compliance through interviews, and/or observations, and/or written documentation. Written documentation may take a variety of forms, including relevant memos, rosters, schedules, training records, newspaper articles, annual reports, etc. In providing documentation it is important to ensure: that the documentation is relevant and appropriate to the standard, that it does not conflict with another standard statement, **AND** that the documentation provided shows continued compliance throughout the assessment period or for the time period that the standard was applicable to the agency. If interviews and/or observations are included on the ISSR and adequately verify compliance, there is no requirement to provide written documentation in the file. For example, consider standard 1.3.3.

### 1.3.3 *A written directive governs the discharge of "warning" shots.*

In addition to the written directive, compliance with this standard is typically proven through an interview with a firearms instructor or internal affairs investigator. However, the agency may also have some written documentation available. This documentation may include a memo regarding disciplinary action for violation of the agency's warning shot directive, or the copy of a lesson plan outlining the prohibition or appropriate use of warning shots.

Compliance with bulleted standards may be shown by including written documentation from each year. Proofs (documents, interviews, observations) provided by the agency must clearly support each bullet and show continued compliance for the 3-year assessment period. For example, consider standard 61.2.1.

*61.2.1 A written directive governs collision reporting and investigation, to include collisions involving:*

- a. death or injury;*
- b. property damage;*
- c. hit and run;*
- d. impairment due to alcohol or drugs;*
- e. hazardous materials; and*
- f. occurrences on private property.*

If the agency elected to use written documentation to demonstrate compliance with the first three bullets, they could include the following:

- Bullet (a)      Report of accident with fatality - 2005
- Bullet (b)      Report of accident with property damage - 2006
- Bullet (c)      Report of hit and run accident - 2007

Sample documents may be repeated to show compliance with more than one bullet if their content is appropriate. For example, a hit and run accident may also involve death or injury and property damage. The same examples could be used to prove compliance with bullets (a), (b), and (c). Compliance can also be proven with interviews and observations. For example, observation of accident report files or an interview with a traffic enforcement supervisor could be used to demonstrate compliance.

## **Mail-off Standards**

When preparing proofs for compliance for the mail-off files, the accreditation manager should refer to the section on "File Construction." Files to be mailed to assessors are constructed in the same manner as accreditation files reviewed on-site.

The on-site team leader will advise the agency accreditation manager when files are to be mailed. Files will be mailed to the assessors at least four weeks prior to the on-site date. This will give assessors sufficient time to review the files and return them to the agency before the on-site.

Assessors may ask for additional documentation if they are not satisfied with compliance with the standard. Additional documentation will not be sent to the assessor before the on-site, but should be ready for the assessor's review upon request once the team has arrived at the agency.

Reviewing files as mail-offs assists in time management control during the on-site assessment. Standards that are not applicable to the agency or that have to be observed to ensure compliance will not be included in the mail-off list. Mail-offs will be sent as directed by the on-site team leader. **Specific standards to be included will be determined through discussions between the team leader and the program manager, and may vary from agency to agency.** Team leaders may encourage the accreditation manager to mail-off entire chapters of standards if satisfactory proofs can be developed without the aid of interviews or observations.

# INDEX

- Abandoned vehicles 61.4.2, 61.4.3
- Academy 33.2
  - administration 33.2.1
  - facilities 33.2.2
  - outside 33.2.3
  - reserves 16.3.3
- Accident reporting 61.2.1
- Accountability 11.2.1, 11.3.1, 11.4.2
- Accounting 17.4
  - audit 17.4.3
  - cash funds 17.4.2
  - system 17.4.1
- Accreditation process
  - familiarization 33.5.3
  - training 33.5.4
- Acquired property
  - civil process 84.1.8
  - disposition 72.5.2, 84.1.7
  - inspections 84.1.6
  - receiving 84.1.1
  - records 84.1.5
  - storage 84.1.2, 84.1.3
- Administrative leave 22.2.1
- Administrative reports 11.4.1
- Administrative review 1.2.9, 1.3.7, 1.3.8, 41.2.2, 41.2.3, 71.4.3
- After action report
  - "All Hazard" plan 46.1.3
- Aircraft 41.1.3
- Alarm
  - Communications 81.2.4
  - courts 73.2.1, 73.4.1, 73.4.3, 73.5.9, 73.5.13, 73.5.19
  - holding facility 72.3.1, 72.4.2, 72.4.9
  - private 81.2.13
  - temporary detention 71.3.3
- Alcohol and narcotics
  - criminal **43**
  - detainee 72.5.4
  - employee use 26.1.1
  - traffic 61.1.5, 61.1.10, 61.1.11, 61.2.1, 61.2.2
- Allocation of personnel 16.1.2
- Americans with Disabilities Act
  - court access 73.2.1
  - recruitment 31.3.1
- Ammunition, authorized 1.3.9
- Analysis
  - crime 15.3.1
  - grievances 25.1.3
  - job task 21.1.1
  - motor vehicle pursuit 41.2.2
  - use of force 1.3.13
- Animals 41.1.4
- Application process 31.3.1
- Arrest
  - alternatives 1.2.6, 44.2.1
  - authority 1.2.1, 1.2.6, 16.3.3, 74.3.2
  - enforcement procedures 61.1.2
  - entry level training 16.3.3, 33.4.1
  - exceeding prisoner capacity 72.5.6
  - execution/attempt service, recording 74.1.2
  - field reporting system 82.2.2
  - files 82.3.6
  - ID number, criminal history 82.3.6
  - intake forms 72.5.2
  - legal authority defined 1.2.1
  - mass arrest 46.1.2
  - search and seizure 1.2.4
  - use of necessary force 1.3.1
  - victim/witness services 55.2.5
  - warrant 1.2.5, 74.1.2, 74.3.2
  - warrantless 1.2.5
- Assessment centers 34.1.3
- Assignment of personnel 16.1.2, 16.3.3
- Audit
  - fiscal 17.4.3
  - password 82.1.6
  - property 84.1.6
- Authority and responsibility 11.3
  - arrest 1.2.1, 1.2.5, 1.2.6, 1.2.8, 16.3.3
  - auxiliary 16.4.1
  - CEO 12.1.1, 12.2.1, 17.1.1
  - disciplinary 26.1.5
  - mutual aid 2.1.3
  - promotion 34.1.2
  - task force 42.2.5
  - training committee 33.1.1
- Auxiliaries 16.4

Background investigations  
     informants 42.2.7  
     preemployment 32.1.4, 32.2.1, 32.2.2, 32.2.3  
     tactical team 46.2.2  
 Barricaded person 46.1.2  
 Benefits 22.2  
 Bias Based Profiling 1.2.9  
 Bicycle 41.1.3, 61.1.5  
 Body armor 41.3.5, 41.3.6, 46.2.3  
 Booking 72.5.2, 72.5.3  
     mass arrest 46.1.2, 72.5.6  
     medical screening 72.6.3  
 Budgeting 17.2  
 Career development 33.8  
 Case management 42.1.3  
 Chain of Custody 83.2.1, 83.3, 84.1.1, 84.1.2, 84.1.5  
 Child - see Juvenile  
 Citations  
     accountability 82.2.3, 82.3.4  
     authority 1.2.6  
     juvenile 44.2.1  
     reporting 82.2.2  
     traffic 61.1.2, 82.3.3  
 Citizen survey 45.2.4  
 Civil  
     civil disturbance 46.1.2  
     civil service commission 32.1.1, 34.1.1, 34.1.2,  
         35.1.5  
     civil process 74.2.1  
     information, recording 74.1.1  
     liability protection program 22.2.2  
     warrant/wanted person procedures 74.1.3  
 Civil process 74.2  
 Civilian employees  
     training 33.7  
 Classification 21.2  
 Clothing and equipment  
     appearance 26.1.1  
     provided 22.2.5  
 Code of conduct 26.1.1  
 Code of ethics 1.1.2, 33.5.1  
 Cold case 42.2.9  
 Collection of evidence **83**  
 Collective Bargaining **24**  
 Command  
     “All Hazard” plan 46.1.2  
     disciplinary actions, role 26.1.5  
     notification 46.1.3  
     presence at scene 81.2.4  
     protocol 12.1.2  
     unity 11.2, 46.1.9  
 Communication **81**  
     24-hour, toll-free service 81.2.1  
     agreements 81.1.1  
     “All Hazard” plan 46.1.6  
     alternate power source 81.3.2  
     assistance, highway users 61.4.1  
     continuous, two-way capability 81.2.2  
     contract services 3  
     facilities & equipment 81.3  
     FCC requirements 81.1.2  
     misdirected emergency calls 81.2.12  
     multichannel radios 81.3.4  
     natural/man-made disaster plan 46.1.2  
     on-call schedule 42.1.1  
     private security alarms 81.2.13  
     recording and playback 81.2.8  
     recording information 81.2.3  
     reports by phone or mail 81.2.14  
     resources 81.2.5  
     security 81.3.1  
     separate emergency/nonemergency calls 81.3.3  
     telephone system 81.3.3  
     training 33.7.2  
     undercover 43.1.5  
     victim/witness calls 81.2.6  
     VIP security 46.2.6  
 Community involvements 45.2  
 Compensation 22.1  
     disability/death benefit 22.2.2  
     education 22.2.2  
     extra duty 22.3.4  
     health insurance 22.2.2  
     off duty 22.3.3  
     retirement 22.2.2  
     support services 22.2.3  
     training 33.1.3  
 Complaints  
     agency personnel **52**  
     community 45.2.2  
     reporting 82.2.2  
     vice/drugs/organized crime 43.1.1  
 Computers  
     access 82.1.1  
     annual audit 82.1.6  
     back-up and storage 82.1.6  
     mobile data terminals 41.3.7  
     records access protocol 82.1.7



- security 82.1.7
- seizure of computer equipment 83.2.5
- software policy 11.4.4
- Conditions of work 22.3
- Confidential funds
  - accounting 17.4.2
  - provision 43.1.3
- Constitutional rights
  - access to counsel 1.2.3, 42.2.10, 72.7.1
  - Bias Based Profiling 1.2.9
  - covert operations 43.1.5
  - detainee 72.7.1
  - interview and interrogation 1.2.3, 44.2.3
  - juvenile 44.2.2
  - privacy 72.1.3
  - search/seizure 1.2.4, 72.5.1
- Consular notification 1.1.4
- Contract law enforcement 3
- Controlled substances 84.1.4
- Coordination, interagency
  - concurrent jurisdiction 2.1.2
  - criminal justice 61.3.6
  - federal 2.1.4
  - mutual aid 2.1.3
  - planning 61.3.6
  - task forces 42.2.5
- Coordination, intra-agency 12.1.4
- Counseling
  - career 33.8.1
  - employee assistance 22.2.3, 22.2.6
  - post-trauma 1.3.8, 22.2.4
- Court security 73
- Crime analysis 15.3
- Crime information system 82.1.4
- Crime prevention 45.1
- Crime reporting 82.2
- Crime scene
  - processing 83.2
  - protection 42.2.1
- Crime victim
  - assistance 55, 81.2.6
- Criminal history files 82.1.1, 82.3.6
- Criminal intelligence 42.1.6
- Criminal Investigation 42
  - follow-up 42.2.2
  - informal 42.2.7
  - preliminary 42.2.1
- Criminal investigators
  - accountability 42.1.4
  - patrol shift briefings 42.2.4
  - temporary assignment 16.2.3
- Criminal process 1.2.5, 74.1, 74.3
- Crossing guards 61.3.4
- Deadly force 1.3.2
  - administrative review 1.3.8
  - medical aid 1.3.5
  - training 1.3.11, 16.3.6, 33.5.1
  - vehicle pursuit 41.2.2
- Detainees
  - holding conditions 72.2.1, 72.5.3
  - processing 72.5
  - rights 72.7.1
  - supervision 72.8
  - temporary 71
- Directives, written 12.2
- Disasters 46.1.2
- Disciplinary procedures
  - appeal 26.1.6
  - awards 26.1.2
  - discipline 26.1.4
  - dismissal 26.1.7
  - Employee Assistance Program 22.2.6
  - records 26.1.8
  - supervision/authority 26.1.5
- Discretion 1.2.6, 1.2.7, 44.2.1, 61.1.2
- Dismissal 26.1.7
- Disposition of property 84.1.1, 84.1.7
- Distribution of personnel 16.1.2
- Diversion
  - juveniles 44.2.1
  - programs 1.1.3
- DNA 83.2.7
- Driver re-examination 61.1.12
- Duties and responsibilities
  - academy administration 33.2.1
  - auxiliaries 16.4.1
  - civil process 74.2.1
  - classification 21.2.1, 21.2.2
  - contract services 3.1.1
  - crime scene processors 83.1, 83.2
  - criminal investigations 42.1.4
  - disciplinary 26.1.5
  - extra-duty employment 22.3.4
  - field training officers 33.4.3
  - fiscal management 17.1.1
  - inspections 53
  - interagency agreements 2.1.2
  - Internal Affairs 52

- job announcements 31.3.1
- performance evaluations 16.3.8, 35.1.1
- promotional announcement 34.1.5
- reserves 16.3
- school crossing guards 61.3.4
- task analysis 21.1.1
- task forces 42.2.7
- traffic collisions 61.2.1, 61.2.3
- training committee 33.1.1
- vehicle pursuit 41.2.2
- Education
  - benefits 22.2.2
  - traffic safety, public 61.4.4
- Eligibility lists
  - promotional 34.1.6
- Emergency(ies)
  - All hazard 46
  - calls, response 41.2.1
  - command protocol 12.1.2
  - communications 81.2.5
  - holding facility 71.3.3, 72.3.2, 72.4.8, 72.4.10, 73.5.18, 73.5.20
  - motor vehicle pursuits 41.2.2
  - messages 81.2.11
  - mutual aid 2.1.3, 2.1.4
  - power source 81.3.2
  - prisoner transportation 70.1.7
  - telephone number 81.2.2, 81.2.12, 81.3.3
  - unusual occurrences 46
- Employee Assistance Program (EAP) 22.2.6
- Employee identification 22.2.7
- Equal Employment Opportunity 31.2.3
- Equipment
  - All hazard 46.1.6
  - body armor 41.3.6
  - contract services 3.1.1
  - control, agency 17.5.1
  - communications 81.2.9, 81.3
  - court security 73.2.1, 73.4
  - covert operations 43.1.4, 43.1.5
  - crime scene processing 83.2.4
  - critical incident readiness 46.1.8
  - emergency response 41.2.1, 41.3
  - general patrol service 41.3.1, 41.3.2
  - holding facility 72.3.1, 72.4.6-72.4.9, 72.6.2, 72.8.2
  - inspections 53
  - multiyear plan 15.1.3
  - prisoner transport 70.4
  - purchase 17.3.1
  - readiness 17.5.3
  - reserves 16.3.4
  - safety restraining devices 41.3.3
  - special purpose vehicles 41.1.3
  - tactical team 46.2.3
  - traffic enforcement 61.1.5
  - unmarked vehicles 41.2.1
  - VIP protection 46.2.6
- Escape, prisoner 70.1.7, 72.4.10, 73.5.20
- Escort services 61.3.3
- Ethics 1.1.2
- Evaluation
  - Recruitment Plan 31.2.2
  - crime analysis 15.3.1
  - crime prevention programs 45.1.1
  - goals and objectives 15.2.2
  - juvenile programs 44.1.3
  - performance 34
  - promotional procedures 34.1.3
  - specialized assignments 16.2.1
  - task forces 42.2.5
  - traffic enforcement 61.1.1
  - training 33.1.1, 33.3.1, 33.4.2, 33.4.3, 33.5.2
- Evidence
  - collection and preservation 83
  - criminal investigations 42.2.1, 42.2.2
  - custody, in 84
- Exceeding prisoner capacity procedure 72.5.6
- Executive protection 46.2.6
- Extra-duty employment 22.3.4
- Eyewitness identification 42.2.11, 42.2.12
- Federal assistance 2.1.4
- Field interviews 1.2.3
- Field training
  - recruit 33.4.3
  - reserves 16.3.3
- Financial management 17
- Fingerprints arrestee 1.2.5, 82.3.6
  - crime scene 83.2.1, 83.2.3, 83.2.4
  - juvenile 82.1.2
- Firearms
  - authorized 1.3.9, 1.3.10
  - discharge 1.3.6
  - evidence 83.3.2
  - holding facility 72.4.1, 73.5.12
  - in-custody, storage 84.1.1, 84.1.2
  - prisoner transport 70.1.6
  - proficiency 1.3.10, 1.3.11, 16.3.6

- specialized 46.2.3
- training 1.3.11, 1.3.12, 33.4.1, 33.5.1, 16.3.6
- use of 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.8
- Fire safety
  - courts 73.5.1
  - holding facility 72.1.1, 72.3.1, 72.3.2
  - temporary detention 71.4.2
- Fiscal management 17
- Follow-up investigations
  - criminal 42.2.2
  - traffic collision 61.2.4
- Force
  - deadly 1.3.2, 1.3.6, 1.3.8
  - medical aid 1.3.5
  - reporting 1.3.6
  - review 1.3.7, 1.3.8, 1.3.13
  - use of 1.3, 16.3.6
- Forms, agency 11.4.2
- Fringe benefits 22.2
- Funds
  - accounting 17.4
  - management 17.1.1, 17.2.1
  - purchasing 17.3
- Goals and objectives 15.2
- Grievances 25
  - maintenance/control 25.1.2
- Habitual offenders 42.1.5
- Higher education 22.2.2
- Holding Facility 72
  - detainee processing 72.5
  - detainee rights 72.7
  - medical/health care 72.6
  - physical plant 72.2
  - safety/sanitation 72.3
  - security/control 72.4
  - supervision 72.8
  - temporary detention 71
- Homeland Security 46.3
- Hostage 46.1.2
- Identity crime 42.2.8
- Informants 42.2.7
  - funds 43.1.3
- Information, public 54
- In-service training 33.5
- Inspections
  - court security 73.5.6, 73.5.9, 73.5.11, 73.5.17
  - holding facility 72.3.1, 72.3.3, 72.4.6, 72.6.2
  - line 53.1.1
  - power source, emergency 81.3.2
  - operational readiness 46.1.8
  - property 84.1.6
  - staff 53.2.1
  - temporary detention 71.4.3
  - weapons 1.3.9
- Instructors 33.2.1, 33.2.2, 33.2.3, 33.3, 33.4.3
- Interagency coordination
  - concurrent jurisdiction 2.1.2
  - federal 2.1.4
  - general 61.3.6
  - Homeland Security 46.3.1
  - mutual aid 2.1.3
  - programs 1.1.3
  - recruiting 31.3.2
- Internal Affairs 52
- Interrogation 1.2.3, 41.2.2, 42.2.2, 42.2.6, 44.2.3
- Interview
  - applicant 32.2.4
  - criminal 1.2.3, 42.2.7, 44.2.3
  - internal investigation 52.2.6
  - field 1.2.3
  - rooms 42.2.10
- Intra-agency coordination 12.1.4
- Inventory
  - property, accident 61.2.3
  - property, agency owned 17.5.1
  - property, detainee 72.5.1, 72.5.2, 73.5.2
  - property, in custody 84.1.6
  - search of vehicle 1.2.4
  - victim/witness needs 55.1.2
- Investigation
  - criminal 42
  - internal 52
  - applicant 32.2
- Involvement, community 45.2
- Job
  - annual evaluation 16.3.8, 35.1.2
  - application rejection 31.3.4
  - assignment rotation 16.2.3
  - job announcements 31.3.1
  - job classification 21.2.1
  - job relatedness 32.1.2
  - lesson plan requirements 33.1.4
  - maintaining applicant contact 31.3.3
  - posting locations 31.3.2
  - promotional announcement 34.1.5
  - promotional process described 34.1.3
  - specialized assignment announcement 16.2.2

- specialized assignment review 16.2.1
- specialized training 33.6.1
- task analysis 21.1
- Jurisdiction 2.1.1, 2.1.2
- Juvenile 44
  - administrative 44.1
  - interview/interrogations 44.2.3
  - operations 44.2
  - school liaison program 44.2.4
- Lateral entry 32.1.1
- Legal Process 74
  - “All Hazard” plan 46.1.2
  - arrest 1.2.5, 44.2.1, 61.1.11
  - arrest warrants 74.3.2
  - criminal 74.3
  - detainee searches 71.3.1, 72.5.1, 73.5.2
  - detainees, outside agency 72.5.5
  - driving under the influence procedures 61.1.11
  - execution/attempt service, recording 74.1.2
  - handling offenders 44.2.1
  - information, recording 74.1.1
  - interagency jurisdiction 2.1.2
  - internal affairs procedures 52.2.6
  - liability protection program 22.2.2
  - master name index 82.3.1
  - outside academy, legal liabilities 33.2.3
  - privacy and security 82.1.1
  - procedure, criminal process 74.3.1
  - promotion job relatedness 34.1.4
  - property, final disposition 84.1.7
  - records retention 82.1.1, 32.2.9
  - reexamination of drivers 61.1.12
  - search/seizure 1.2.4, 71.3.1, 72.5.1, 73.5.2
  - selection, job relatedness 32.1.2
  - special operations procedures 43.1.5
  - training 33.7.2
  - training, annual program 33.5.1
  - uniform administration 32.1.3
  - written agreement for services provided 3.1.1
- Less lethal weapons 1.3.4, 1.3.5, 1.3.10
- Lesson plans 33.1.4
- Liability protection 16.3.7, 22.2.2
- Liaison with other agencies
  - concurrent jurisdiction 2.1.2
  - emergency 46
  - federal 2.1.4
  - mutual aid 2.1.3
- Line inspections 53.1
- Line-up 42.2.11

- Mass arrests 46.1.2
- Media
  - “All Hazard” plan 46.1.3
  - public information 54
  - victim services 55.1.3
- Medical examination
  - applicant 32.2.7, 32.2.8, 32.2.9
  - detainee 72.6.3
  - employee 22.3.1
- Missing persons 41.2.5, 41.2.6
- Mounted patrol 41.1.4
- Multiyear plan 15.1.3
- Mutual aid 2.1.3
- Narcotics and dangerous drugs
  - criminal 43
  - storage 84.1.1, 84.1.4
  - traffic enforcement 61.1.10, 61.1.11
- Notification, next of kin 55.2.6
- Oath of office 1.1.1
- Off-duty
  - authority 1.2.1
  - employment 22.3.3, 22.3.4
- Offenders, habitual 42.1.5
- Off-road vehicles 61.1.5
- Organization, agency 11
- Organizational chart 11.1.2
- Organized crime 43
- Parking control 61.1.13
- Patrol 41
- Performance Evaluation 16.3.8, 35
- Personnel
  - assignment 16
  - benefits 22.2
  - Collective Bargaining 24
  - conditions of work 22.3
  - conduct 26
  - compensation 22.1
  - complaints against 52
  - Early Warning System 35.1.9
  - Employee Assistance Program 22.2.6
  - grievances 25
  - Promotion 34
  - Recruitment 31
  - rights under contract 3.1.2
  - Selection 32
  - training 33
- Photographs
  - arrestee/detainee 1.2.5, 54.1.1, 82.3.6
  - crime scene 83.2.1, 83.2.4

- employee 52.2.6
- juvenile 82.1.2
- Physical examinations
  - applicant 32.2.7, 32.2.9
  - detainee 72.6.3
  - employee 22.3.1, 22.3.2
- Planning and Research 15.1
- Polygraph
  - applicant 32.2.5, 32.2.6
  - criminal 42.2.6
  - internal investigations 52.2.6
- Preliminary investigation 42.2.1
- Pretrial release 1.2.6, 1.2.7, 44.2.1, 61.1.2
- Prisoners Transportation 70
- Private security alarms 81.2.13
- Probationary periods
  - employment 32.2.10
  - promotional 34.1.7
- Processing evidence 83
- Promotion 34
- Property
  - accident victims 61.2.3
  - agency owned 17.5
  - arrestee 72.5.1, 72.5.2, 73.5.2
  - in custody 84
  - operational readiness 17.5.3, 46.1.8
- Psychological examinations
  - applicant 32.2.8, 32.2.9
- Public information 54
- Purchasing procedures 17.3.1
- Rating criteria 35.1.1, 35.1.4
- Records
  - accounting system, disposition 74.4.1
  - background investigations 32.2.1
  - case management system 42.1.3
  - case numbering system 82.2.3
  - cash fund/accounts maintenance 17.4.2
  - citations 82.3.4
  - contract services 3.1.1
  - criminal history 82.3.6
  - detainee/record security 72.1.3, 72.5.1, 72.5.2
  - disciplinary records 26.1.8
  - distribution of reports 82.2.4
  - employee training record maintenance 33.1.6
  - evidence/property control system 84.1.1
  - execution/attempt service, recording 74.1.2
  - field reporting system 82.2.1
  - forms, accountability and review 11.4.2
  - grievance records 25.1.2
  - ID number and criminal history 82.3.6
  - index files 82.3.2
  - inspections and reports 84.1.6
  - intake forms 72.5.2
  - internal investigations 52.1.2, 52.1.5
  - juvenile 82.1.2
  - master name index 82.3.1
  - operational accessibility 82.1.1
  - phone or mail reports 81.2.14
  - privacy/security 82.1.1
  - property, in custody 84.1.1, 84.1.5, 84.1.6
  - request for service information 81.2.3
  - requirements for reports 82.2.2
  - retention schedule 82.1.3
  - selection/medical records 32.1.6, 32.2.9
  - status of reports 82.1.5
  - supervisor review procedures 82.2.1
  - towed vehicles, inventory 61.4.3
  - traffic 82.3.3
  - training 33.1.6, 33.1.7, 33.6.2
  - uniform crime reporting program 82.1.4
  - vice drugs and organized crime 43.1.2
  - warrants/wanted person procedures 74.1.3
  - written agreement for services provided 3.1.1
- Recruitment 31
- Regional services
  - communications 81.2.9, 81.2.10
  - criminal justice 61.3.6
  - traffic planning 61.3.1, 61.3.6
  - training academy 33.2.3
  - warrants 74.1.3
- Release of information 54.1.1, 82.1.1
- Remedial training 33.1.5
- Reports
  - administrative 11.4.1
  - after action 46.1.3
  - case management 42.1.3
  - crime analysis 15.3.1
  - crime scene processing 83.2.6
  - escape, prisoner 70.1.7, 73.5.20
  - field reporting 81.2.3, 81.2.14, 82.2
  - fiscal 17.4.1
  - force, use of 1.3.6, 1.3.7, 1.3.13
  - inspections 53
  - laboratory examinations 83.3.2
  - traffic accident 61.2.1
- Reserves 16.3
- Restraining devices
  - courtroom 73.3.2

- prisoner transport 70.2.1
- temporary detention 71.3.2
- Roadblocks 1.3.2, 41.2.3
- Salary program 22.1.1
- School crossing guards 61.3.4
- School liaison 44.2.4
- School safety patrol 61.3.5
- Search
  - arrest, incident to 1.2.4
  - detainee 70.3.2, 71.3.1, 72.5.1, 72.8.5
  - holding facility 72.4.5, 72.4.6, 73.5.2
  - investigations 42.2.2
  - prisoner transport 70.1.1, 70.1.2
  - seizure, and 1.2.4, 43.1.5
- Search and rescue 46.2.5
  - missing persons 41.2.5, 41.2.6
- Seat belts 41.3.3
- Secondary employment 22.3.3, 22.3.4
- Selection 32
  - field training program 33.4.3
  - hostage negotiator 46.2.4
  - rotating assignments 16.2.3
  - tactical team selection 46.2.2
- Selective enforcement, traffic 61.1.1
- Sexual harassment 26.1.3
- Shift briefings
  - investigators' attendance 42.2.4
  - patrol 41.1.2
  - training 33.5.2
- Shifts, patrol 41.1.1
- Show-up 42.2.12
- Special events 46.2.7
- Special operations 33.6, 46
- Special purpose vehicles 41.1.3
- Special transport situations 70.3.3
- Specialized assignment 16.2.1, 16.2.2
- Specialized training 33.6
- Summons
  - alternative to arrest 1.2.6, 44.2.1, 74.3.1
  - reporting 82.2.2
- Supervision accountability 11.2.1
- Surveillance
  - covert operations 43.1.3-43.1.5
- Surveys
  - citizens attitudes 45.2.4
  - court security 73.2.1
  - school crossings 61.3.4
  - traffic engineering 61.3.1
  - victim/witness needs 55.1.2

- Tactical team 33.6.2, 46.2
- Task analysis 21.1.1
- Task forces
  - investigative 42.2.5
- Temporary assignments 16.2.3
- Temporary Detention 71
- Towing vehicles 61.4.3
- Traffic 61
  - ancillary services 61.4
  - collision investigation 61.2
  - direction/control 61.3
  - driving under influence 61.1.10, 61.1.11
  - enforcement 61.1.1-61.1.13
  - parking 61.1.13
  - speed measuring devices 61.1.9
- Training 33
  - academy 33.2.1, 33.2.2, 33.2.3, 33.2.4
  - accreditation process 33.5.3
  - attendance 33.1.2
  - auxiliaries 16.4.1, 16.4.2
  - benefits 22.2.1, 22.2.2
  - career development 33.1.1, 33.8.1
  - civilian 33.7.2
  - committee 33.1.1
  - disciplinary procedures 26.1.1, 26.1.4
  - evidence collection 83.2.2
  - holding facilities 71.2.1, 72.1.1, 72.6.3, 73.5.1
  - instructor 33.3.1
  - lesson plans 33.1.4
  - polygraph 42.2.6
  - promotions 33.8.2
  - records 33.1.6, 33.1.7
  - recruit training 33.4
  - recruitment 31.1.2
  - reimbursement 33.1.3
  - remedial training 33.1.5
  - reserves 16.3.3, 16.3.5, 16.3.6
  - retraining 33.5.1
  - shift briefing 33.5.2
  - specialized training 33.6
  - tactical teams 33.6.2
- Transportation of prisoners 70
- Tuition reimbursement 22.2.2
- Unity of command 11.2
- Use of force 1.3
- Vice, Drugs, and Organized Crime 43
  - administration 43.1
  - confidential funds 43.1.3
  - surveillance/undercover equipment 43.1.4

Victims Witnesses Assistance 55

VIP security 46.2.6

Volunteers 16.4

Warning shots 1.3.3

Weapons

authorized 1.3.9

courts 73.3.1

holding facility 71.3.3, 72.4.6

less than lethal 1.3.4

prisoner transport 70.1.6

proficiency 1.3.10, 1.3.11

use of 1.3

Workload assessment 16.1.2

Written directives 12.2

**Change Notice No. 2.3:  
Recognition Standards for Law Enforcement Agencies Amendments  
Enacted by the Commission on July 25, 2008**

***Background***

This is the third change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notice 2.1 and Change Notice 2.2 were previously sent to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 1.1 bear the dates July 2006 and November 2006 and Change Notice 2.1 bear the dates July 2007, November 2007, and March 2008.

***Standards Amendments and Other Revisions Accompanying This Change Notice***

***Table of Contents:*** New Standards.

***Standard 33.5.4:*** Language change.

***Introduction to Chapter 42:*** Added paragraph 3.

***Standard 42.1.6:*** Revised.

***Standard 71.1.1:*** New Standard.

***Standard 71.5.1:*** New Standard.

***Appendix H: STANDARD TITLES***

H-10 – 46.3.4 changed to Hazemat Awareness.

H-16 – 81.2.14 moved to 82.2.5 (H-17).

H-16 – 81.2.15 changed to 81.2.14.

The following corrections to typographical errors in the original publication are also made as part of this change notice:

APPENDIX G: File Construction and Documentation - now refers to 42.2.4, not 42.2.6, page G-3.

Index-4: Employee Assistance Program (EAP) changed to 22.2.6.

***Where to Insert This Notice and Accompanying Pages***

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old, correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.



## **Change Notice 2.1 (January 2007)**

Standard 22.2.7: Standard and Commentary language were changed.

Standard 71.3.3: Changed language for bullet a and added commentary language.

Chapter 72 Introduction: Language change.

APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.

APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

## **Change Notice 2.2 (March 2008)**

Standard 16.3.3: Addition of Commission Interpretation.

Standard 25.1.3: Language and Levels of Compliance changes.

Standard 35.1.2: Language change.

Standard 42.2.8: Language change.

Chapter 45 Introduction: Language change.

Standard 46.3.4: Language change.

Standard 52.1.5: Levels of Compliance change.

Chapter 71 Introduction: Language change to Introduction.

Standard 71.3.3: Language change.

Standard 71.4.1: Language change.

Standard 71.4.2: Language change.

Standard 71.4.3: Language change.

Subsection 71.5 Processing and Testing: New.

Standard 71.5.1: New.

Standard 81.2.10: Language change.

Standard 81.2.14: Moved to Standard 82.2.5.

Standard 81.2.15: Renumbered to Standard 81.2.14.

Standard 84.1.6: Commentary Language change.

APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.  
Language change to Temporary Detention.

APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

	41.2.2	Motor Vehicle Pursuits	41-2
	41.2.3	Roadblocks and Forcible Stopping	41-3
	41.2.5	Adult Missing Persons	41-4
	41.2.6	Missing and Exploited Children	41-4
	41.2.7	Dealing with the Mentally Ill	41-4
41.3		Equipment	41-5
	41.3.5	Body Armor Availability	41-6
	41.3.6	Body Armor Use (Hi-Risk)	41-6
CHAPTER 42		CRIMINAL INVESTIGATION	
	42.1	Administration	42-1
		42.1.3 Case File Management	42-2
	42.2	Operations	42-4
		42.2.7 Confidential Informants	42-6
		42.2.10 Interview Rooms	42-7
CHAPTER 43		VICE, DRUGS, AND ORGANIZED CRIME	
	43.1	Administration and Operations	43-1
		43.1.1 Procedures for Investigation	43-1
		43.1.5 Surveillance Operations	43-2
CHAPTER 44		JUVENILE OPERATIONS	
	44.1	Administration	44-2
	44.2	Operations	44-2
		44.2.2 Juvenile Detainee	44-3
		44.2.3 Custodial Interrogation of Juveniles	44-4
CHAPTER 45		CRIME PREVENTION AND COMMUNITY INVOLVEMENT	
	45.1	Crime Prevention	45-2
	45.2	Community Involvement	45-3
CHAPTER 46		CRITICAL INCIDENTS, SPECIAL OPERATIONS AND HOMELAND SECURITY	
	46.1	Critical Incidents	46-2
		46.1.2 All Hazard Plans	46-2
		46.1.3 Command Function	46-2
		46.1.4 Operations Function	46-2
		46.1.5 Planning Function	46-3
		46.1.6 Logistics Function	46-3
		46.1.7 Finance/Administration Function	46-3
	46.2	Special Operations	46-4
	46.3	Homeland Security	46-6
		46.3.4 CBRN Level Awareness Guidelines	46-6

## **CHAPTERS 51-55 OPERATIONS SUPPORT**

CHAPTER 51 [Reserved]

### **CHAPTER 52 INTERNAL AFFAIRS**

52.1	Organizational Integrity	52-1
52.1.1	Departmental Complaints Investigation	52-1
52.1.2	Maintenance of Complaint Records	52-1
52.2	Complaint Procedures	52-2

### **CHAPTER 53 INSPECTIONAL SERVICES**

53.1	Line Inspections	53-2
53.2	Staff Inspections	53-2

### **CHAPTER 54 PUBLIC INFORMATION**

54.1	Public Information	54-1
54.1.3	Media Access	54-2

### **CHAPTER 55 VICTIM/WITNESS ASSISTANCE**

55.1	Administration	55-2
55.2	Operations	55-3

## **CHAPTER 61 TRAFFIC OPERATIONS**

### **CHAPTER 61 TRAFFIC**

61.1	Traffic Enforcement	61-2
61.1.2	Procedures – Traffic Enforcement	61-2
61.1.3	Traffic Law Violations	61-3
61.1.5	Uniform Enforcement Policies	61-3
61.1.7	Procedures – Motorist Stops	61-4
61.2	Traffic Collision Investigation	61-6
61.3	Traffic Direction and Control	61-8
61.3.2	Procedures – Traffic Direction	61-9
61.4	Ancillary Services	61-10

## **CHAPTERS 70-74 DETAINEE AND COURT-RELATED ACTIVITIES**

### **CHAPTER 70 DETAINEE TRANSPORTATION**

70.1	Transport Operations	70-1
70.1.1	Search of Detainee	70-1

	70.1.2 Search of Vehicle Prior to Transport	70-2
70.2	Restraining Devices	70-4
	70.2.1 Restraining Devices	70-4
70.3	Special Transport Situations	70-4
70.4	Transport Equipment	70-5
	70.4.2 Rear Compartment Modifications	70-5
70.5	Documentation	70-6

CHAPTER 71 PROCESSING AND TEMPORARY DETENTION

71.1	Authorization	71-2
	71.1.1 Designate Rooms or Areas	71-2
71.2	Training	71-2
	71.2.1 Initial and Retraining	71-2
71.3	Detainee Processing and Control	71-3
	71.3.1 Procedures - Temporary Detention	71-3
	71.3.3 Security Concerns	71-3
71.4	Temporary Detention Facility Conditions	71-4
	71.4.2 Fire Prevention	71-4
	71.4.3 Inspections and Administrative Review	71-4
71.5	Processing and Testing	71-4
	71.5.1 Security Concerns in Designated Processing or Testing Rooms/Areas	71-4

CHAPTER 72 HOLDING FACILITY

72.1	Organization, Administration, and Management	72-1
72.2	Physical Plant	72-2
72.3	Safety and Sanitation	72-2
72.4	Security and Control	72-3
72.5	Detainee Processing	72-4
72.6	Medical and Health Care Services	72-6
72.7	Detainee Rights	72-7
72.8	Supervision of Detainees	72-8

CHAPTER 73 COURT SECURITY

73.1	Administration	73-1
73.2	Operations	73-2
73.3	Security Policy and Procedures	73-2
73.4	Equipment	73-3
73.5	Court Holding Facilities	73-4

CHAPTER 74 LEGAL PROCESS

74.1	Records	74-1
74.2	Civil Process	74-2
74.3	Criminal Process	74-3

## CHAPTERS 81-84 AUXILIARY AND TECHNICAL SERVICES

### CHAPTER 81 COMMUNICATIONS

81.1	Administration	81-1
81.2	Operations	81-2
81.2.1	24 Hour Toll Free Voice and TDD Access	81-2
81.2.2	Two Way Communications	81-2
81.2.3	Procedures – Recording Information	81-2
81.2.4	Procedures for Communications	81-3
81.2.8	Immediate Play-Back	81-4
81.2.12	Handling of Misdirected Calls	81-5
81.2.15	Training – First-Aid Instruction	81-6
81.3	Facilities and Equipment	81-6
81.3.2	Alternative Power Source	81-6

### CHAPTER 82 CENTRAL RECORDS

82.1	Administration	82-1
82.1.1	Security of Records	82-1
82.1.6	Computer System Security	82-2
82.2	Field Reporting and Management	82-3
82.3	Records	82-4

### CHAPTER 83 COLLECTION AND PRESERVATION OF EVIDENCE

83.1	Administration	83-1
83.1.1	24 Hour Availability of Qualified Personnel	83-1
83.2	Operations	83-1
83.2.1	Guidelines and Procedures of Evidence Collection	83-1
83.3	Evidence Handling	83-4
83.3.2	Procedures for Submission to Lab	83-4

### CHAPTER 84 PROPERTY AND EVIDENCE CONTROL

84.1	Administration and Operations	84-1
84.1.1	Receipt of Property/Evidence	84-1
84.1.2	Secure Property/Evidence Storage	84-2
84.1.3	Secure Property/Evidence Temporary Storage	84-3
84.1.4	Security of Controlled Substances, Weapons	84-3
84.1.6	Audit and Inspections	84-3

APPENDIX A	Glossary	A-1
APPENDIX B	Guiding Principles for Agencies and Assessors	B-1
APPENDIX C	Form for Raising Standards-Related Issues	C-1

rules and regulations, with emphasis on changes; leadership; ethics and integrity, taking into consideration cultural influences, policy compliance, and doing what is correct rather than what is not illegal (see standard 26.1.1); statutory or case law affecting law enforcement operations, with emphasis on changes; the functions of agencies in the local criminal justice system; exercise of discretion in the decision to invoke the criminal justice process; interrogation and interviewing techniques; agency policy on the use of force, including the use of deadly force; emergency medical services; the performance evaluation system; emergency fire suppression techniques; new or innovative investigative or technological techniques or methods, if any; hazardous materials incidents; contingency plans, if any, including those relating to special operations and critical incidents; crime prevention policies and procedures; collection and preservation of evidence; report writing and records system procedures and requirements; and victim/witness rights, policies, and procedures. (M M M M)

### **33.5.2** *A written directive governs shift briefing training.*

**Commentary:** Shift briefing training is a technique that may supplement all other training. Shift briefing training may be a useful element of agency training, if it is well managed and supervised. The goal of this training should be to keep officers up to date between formal retraining sessions. Agencies which do not have formal shift briefings, e.g., resident state troopers, deputy sheriffs, may accomplish the purpose of shift briefing training through other methods, to include in-car computers and other electronic means. To be useful to the agency, the shift briefing training program should be well structured and reflect the needs of the agency while being flexible enough to fit into a shift briefing setting. The written directive should include: planning for shift briefing training; techniques used in shift briefing training; relationships with the academy; instructional methods; instructional personnel; evaluation of shift briefing training; scheduling of training; and role of supervisors and officers (see standard 41.1.2). (O O O O)

### **33.5.3** *Agency personnel shall receive information regarding the accreditation process as follows:*

- a. *to all newly hired agency personnel within thirty days after their employment begins or within thirty days after completing the recruit academy;*
- b. *to all agency personnel during the self-assessment phase associated with achieving initial accreditation; and*
- c. *to all agency personnel prior to an on-site assessment.*

**Commentary:** The intent of this standard is twofold. First, it ensures that all employees are familiar with accreditation and what it entails during the self-assessment process. Second, familiarizing new employees with the process will provide a historical perspective and emphasize the importance of accreditation to the organization. It is recommended that familiarization include the history and background of accreditation and the agency's involvement in the process, the accreditation process, the goals and objectives of accreditation, and the advantages of accreditation and its impact on the agency. Familiarization may be achieved by such means as classroom instruction, newsletter, memo, and periodic attendance by command staff at conferences of the Commission on Accreditation for Law Enforcement Agencies, Inc. (M M M M)

**33.5.4** *A written directive requires agency employees assigned to the position of accreditation manager shall receive specialized accreditation manager training within one year of being appointed.*

**Commentary:** The role of accreditation manager is very specialized and requires familiarization with the accreditation process. At a minimum, the training should include information on the essential components of the process, the standards manual, and file maintenance. The individual selected as accreditation manager should attend at least one CALEA Conference during the self-assessment period or current award period. Agencies are urged to join and participate in Police Accreditation Coalition (PAC's) within their state or province. (O O O O)

### **33.6 Specialized In-Service Training**

**33.6.1** *A written directive identifies the assignments for which specialized training is required, and includes the following:*

- a. a description of the required training; and*
- b. retraining requirements, if any.*

**Commentary:** The agency should identify all of the functions for which both pre- and post-assignment specialized training is required. Specialized training includes supervised on-the-job training provided by the agency, training mandated by governmental authority such as training for certification as a breathalyzer operator, and training deemed necessary by the agency for the development and enhancement of the skills, knowledge, and abilities particular to the specialization, such as motorcycle units or marine patrol.

Persons responsible for crime scene processing should receive specialized criminalistics training commensurate with their duties and responsibilities. For example, DNA evidence should be collected only by persons appropriately trained.

The supervision and management of specialized functions includes responsibility for ensuring that persons assigned to the function receive adequate training and support services. (M M M M)

**33.6.2** *If the agency participates in a tactical team, the agency requires that all personnel assigned to the team engage in training and readiness exercises.*

**Commentary:** The purpose of this standard is to ensure that tactical team members have ample opportunity to practice their special skills and develop their abilities to function effectively as a team. This is necessary because many skills are perishable and should be exercised to build and maintain proficiency. Operational simulations should be included in the training program, and if the agency also has a separate hostage negotiation team, its personnel should be required to train periodically with the tactical team. All tactical training must be documented and the records retained pursuant to standard 33.1.6. (M M M M)

# 42

## CRIMINAL INVESTIGATION

Standards in this chapter relate to the criminal investigation function as performed by both uniformed officers and officers specializing in investigations. The standards reflect the perspective that agencies have discretion in determining the degree of specialization necessary to accomplish this function.

The standards provide for administrative and operational programs that should result in efficient and effective criminal investigations. This approach does not direct the agency's investigative functions in each specific crime category, such as homicide, rape, robbery, etc., but rather identifies those elements common to every investigation.

In this post-9/11 environment, law enforcement agencies at all levels recognize that they have a stake in the international law enforcement criminal intelligence effort, in addition to their crime-fighting responsibilities in their communities. The criminal intelligence function within each agency will provide the ability to gather, analyze, protect, and share credible and timely information. It will also provide intelligence to identify, investigate, prevent, deter, and defeat criminal and terrorist activities, both domestically and internationally, as well as protect the security of our homeland and preserve the rights and freedoms of our citizens.

Standards in this chapter are closely related to topical areas addressed in other chapters, including Vice, Drugs, and Organized Crime (Chapter 43), Juvenile Operations (Chapter 44), and Collection and Preservation of Evidence (Chapter 83). Agencies have several options here. Some may treat these functions independently or combine them according to their individual needs. Other agencies, particularly smaller ones, may assign all of these responsibilities to the criminal investigation function. Once functional responsibility is assigned, applicability of standards can be determined.

### 42.1 Administration

**42.1.1** *The criminal investigation function provides 24-hour service capabilities.*

**Commentary:** In agencies in which investigators are not assigned to duty shifts throughout a 24-hour period or on weekends, the criminal investigation function should establish an on-call investigator duty roster, which is furnished to the communications center and the commander of the patrol force.

(M M M M)

**42.1.2** *The agency uses a case-screening system and specifies the criteria for continuing and/or suspending an investigative effort.*



**Commentary:** The objective of case screening is to assign available personnel to those investigations that have the best chance of being resolved. The written directive should specify how such screening is to be conducted, by whom, and what criteria (solvability factors) should be used. Screening of preliminary investigative information should assist in the decision on whether a follow-up investigation should be made.

The decision about the extent of follow-up or the suspension of investigative efforts should be made at a management level. Adherence to this standard should provide law enforcement administrators with improved management control over the productivity of investigations. Decision-making involves the continued application of solvability and degree-of-seriousness factors plus operational input from periodic reporting by investigators on the progress of assigned cases. Suspension criteria may include lack of further leads or solvability factors, unavailability of investigative resources, and/or insufficient degree of seriousness. Unsolved homicides and other serious crimes deserve consideration for cold case investigative efforts. Cold case investigations can increase the agency's success rate, often with minimal resources. Larger agencies may staff a full-time cold case investigation unit for this purpose.

Cases requiring specialized skills, knowledge, or ability should be assigned to those personnel having that expertise. This does not preclude others from assisting but should discourage the perfunctory assignment of personnel based on a rotation or other criteria-free system. A practice of assigning a single person as the "principal investigator" for each case is encouraged. This, too, does not preclude the assignment of more than one person to an investigation but is designed to place accountability for each case. (O O O O)

**42.1.3** *A written directive establishes a system of case file management for the criminal investigation function, to include:*

- a. *a case status control system;*
- b. *administrative designators for each case;*
- c. *types of records to be maintained;*
- d. *accessibility to the files; and*
- e. *procedures for purging files.*

**Commentary:** A system for case status control should be established to specify information that should be recorded for each case, such as investigator assigned, date assigned, case number, and report due date. Administrative designations such as "open," "suspended," and "closed" are also recommended for assisting internal case management and control.

Case files should be maintained on all cases in which investigative activities are ongoing. The case files provide an immediate information resource to investigators. The case files should contain a copy of preliminary investigative reports (all originals should be maintained in central records), records of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes. These files should be consolidated into the central records system when the case is suspended or closed. (M M M M)

**42.1.4** *A written directive specifies accountability for conducting preliminary and follow-up criminal investigations.*

**Commentary:** To assign responsibility and to establish investigative continuity, a written directive should define which element of the agency is to accomplish the preliminary and/or follow-up investigation for various categories of incidents. (O O O O)

**42.1.5** *A written directive requires the following:*

- a. specification of criteria designating certain individuals as habitual/serious offenders;*
- b. identification of all cases in which a designated habitual/serious offender is a party; and*
- c. notification to the prosecuting agency of such cases.*

**Commentary:** The directive should propose a process for identifying cases in which habitual or serious offenders play a role and for establishing criteria for handling such cases. Liaison with the prosecutor's office is very important in ensuring the success of a coordinated career criminal approach. (O O O O)

**42.1.6** *A written directive addresses the collection, processing, and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities (including information detailed in 43.1.1 and 46.3.2) with appropriate entities, to include:*

- a. a description of the function;*
- b. the responsibilities of all agency personnel;*
- c. training of personnel;*
- d. procedures for safeguarding, securing, and storing information;*
- e. procedures for ensuring that information collected is limited to criminal conduct or relates to activities that present a potential threat to the jurisdiction;*
- f. legal and privacy requirements;*
- g. documentation, reporting, and dissemination of information;*
- h. procedures for purging out-of-date or incorrect information; and*
- i. an annual review of procedures and processes.*

**Commentary:** The intent of this standard is to document agency accountability for the collection and sharing of suspicious incidents and criminal intelligence information.

Intelligence-gathering activities are important in all agencies. All agencies, regardless of size, must have a criminal intelligence function. The need to develop and share information and criminal intelligence across all levels of government is imperative. Each agency has a stake in the development and exchange of suspicious incidents, information, and criminal intelligence.

Law enforcement agencies should operate under specific guidelines to ensure that no abuses occur. The sensitive nature of criminal intelligence files requires that they be maintained separately from other agency records to prevent compromise and protect the integrity of the file system. If the intelligence function is performed by an individual with other responsibilities (e.g., CEO, deputy chief) or as an activity of a larger function (criminal investigations), the separation and security intentions of this stan-

dard still apply. It is recommended that agencies utilize file procedures (i.e., Law Enforcement Intelligence Unit [LEIU] *Criminal Intelligence File Guidelines*) as a check and balance against inappropriate activities. The collection/submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and constitutional rights of individuals, groups, and organizations.

Law enforcement personnel should be trained and encouraged to document information gleaned from a variety of sources. Training should emphasize that all personnel, regardless of their jobs, have a role in criminal intelligence and the sharing of information. Training can range from roll-call to more advanced training and is frequently available at little or no agency cost.

The *National Criminal Intelligence Sharing Plan* (NCISP) identifies a wide array of suggested accountability mechanisms, such as periodic review by management on decision making throughout the criminal intelligence function; audit trails within criminal intelligence processes and computer systems; staff surveys and questionnaires; effective training on department policies, procedures, and professional criminal intelligence practices; and periodic audits of criminal intelligence operations and files.

Agencies should leverage a number of resources, including existing information sharing initiatives—such as INTERPOL, the Homeland Security Information Network (HSIN), the Regional Information Sharing Systems (RISS), and Law Enforcement Online (LEO)—and reference materials such as *Fusion Center Guidelines: Law Enforcement Intelligence, Public Safety, and the Private Sector*, *LEIU Criminal Intelligence File Guidelines*, the *Justice Information Privacy Guideline* document, and the NCISP. (M M M M)

## 42.2 Operations

**42.2.1** *A written directive establishes steps to be followed in conducting preliminary investigations, to include:*

- a. *observing all conditions, events, and remarks;*
- b. *locating and identifying witnesses;*
- c. *maintaining and protecting the crime scene and arranging for the collection of evidence; and*
- d. *interviewing the complainant, witnesses, and suspects.*

**Commentary:** A properly conducted and documented preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus obviating the need for a follow-up investigation. The investigation usually includes the following tasks: (1) providing aid to the injured; (2) protecting the crime scene to ensure that evidence is not lost or contaminated; (3) determining whether an offense has actually been committed and, if so, the exact nature of the offense; (4) determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished either at the scene or through immediate pursuit; (5) furnishing other field units, through the communications system, descriptions, method, and direction of flight, and other relevant information concerning wanted persons or vehicles; (6) obtaining complete identification of all witnesses; (7) determining what information is known by the victims and witnesses; (8) arranging for the collection of evidence; (9) determining in detail the exact circumstances of the offense; (10) obtaining written statements from victims, witnesses, and if legally possible, from the suspect; and (11) accurately and completely recording all pertinent information on

prescribed report forms. The standard is not intended to preclude the officer conducting the preliminary investigation from being assigned to the follow-up investigation. (MMMM)

**42.2.2** *A written directive establishes steps to be followed in conducting follow-up investigations to include, at a minimum:*

- a. *reviewing and analyzing all previous reports prepared in the preliminary phase, departmental records, and results from laboratory examinations;*
- b. *conducting additional interviews and interrogations;*
- c. *seeking additional information (from uniformed officers, informants);*
- d. *planning, organizing, conducting searches, and collecting physical evidence;*
- e. *identifying and apprehending suspects;*
- f. *determining involvement of suspects in other crimes;*
- g. *checking suspects' criminal histories; and*
- h. *preparing cases for court presentation.*

**Commentary:** These procedures should be used only in the event they are found to be necessary. For example, every follow-up investigation may not include a search. The written directive should be intended as a guide. The investigation may include the following activities: (1) identifying and apprehending the offender; (2) collecting, preserving, analyzing, and evaluating evidence; (3) recovering stolen property; (4) interviewing victims and witnesses; (5) interrogating suspects; (6) determining in detail the exact circumstances of the offense; (7) determining if other crimes may have been committed by the suspect; (8) reporting information obtained; and (9) preparing case for court presentation.

Maintaining contact with principals in any investigation is valuable in building public confidence in the agency as well as indicating that the law enforcement officers are genuinely concerned about the welfare of the victim and other citizens associated with the case. Cross-reference with 55.2.4 (Victim/Witness Assistance). (MMMM)

**42.2.3** *The agency provides checklists to aid in criminal investigations.*

**Commentary:** The field report, properly prepared, serves as a satisfactory checklist for most investigations. However, more complicated investigations require additional efforts, and checklists aid in ensuring that critical areas of investigation are not overlooked. (OOOO)

**42.2.4** *The agency has a system that provides for periodic attendance of criminal investigators at shift briefings conducted for patrol officers.*

**Commentary:** Joint shift briefings conducted for patrol and criminal investigative personnel should enhance relationships between these entities and provide for the exchange of information. (NAOOO)

**42.2.5** *If agency personnel participate in formal, long term, multi-jurisdictional investigative task force(s), a written directive describes the task force activities, to include:*

- a. *the purpose;*
- b. *defining authority, responsibilities, and written agreements; and*
- c. *evaluating results and the need for continued operation(s).*

**Commentary:** The directive may be a product of the task force or the participating agency. The criteria for the use of task forces should be specified in the directive. The kinds of offenses for which they should be used and the procedures for control and evaluation should be outlined. (MMMM)

**42.2.6** *If technical aids for the detection of deception are used, a written directive governs their use in criminal investigations. Examiners must be graduates of institutions providing training for this purpose.*

**Commentary:** The written directive should govern the use of such devices as polygraphs, voice stress analyzer, and other detection of deception equipment. The directive should also specify those persons who may be authorized to use the equipment and the conditions under which it may be used. Adherence to this standard ensures a uniform training base for all operators of technical aids for detection of deception. (MMMM)

**42.2.7** *A written directive specifies the procedures to be followed when using confidential informants, to include:*

- a. inclusion of informants in a master file;*
- b. content of the informant file, to include biographical and background information, criminal history record, if any, and code name or number of each informant;*
- c. maintenance and security of informant file and related codes;*
- d. other methods to protect the identity of informants;*
- e. criteria for paying informants, if applicable;*
- f. precautions to be taken with informants, generally; and*
- g. special precautions to be taken with juvenile informants.*

**Commentary:** The use of confidential informants is important to the satisfactory completion of many investigations, including patrol related investigations; drug, vice, and organized crime control functions; and intelligence functions. Procedures should be established to provide for this resource within a controlled system to avoid abuse. In some instances, agencies may promulgate policy governing use of parolees, if required by an authorizing corrections agency.

If the agency does not centralize this function, then each agency function that controls and manages informants should be responsible for compliance with this standard. Investigating officers should take additional precautions when dealing with informants of the opposite sex and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.

A master file on informants should be maintained with an emphasis on security and rigid control of access. A single individual should be identified and given exclusive control over this file. The file should contain information on informants, to include their backgrounds, a record of transactions, and information on how they can be located. Coded information should be used in all transactions with informants, including pay. All funds maintained and used for informants should comply with all procedures in Chapter 17.

Agencies outside the United States should contact CALEA staff for special interpretation of this standard as it relates to the differences in defining the terms “informants” and “agents.” (MMMM)

**42.2.8** *The agency has a written directive concerning identity crime and procedures for:*

- a. taking identity crime reports;*
- b. specialized report forms, if any;*
- c. providing information and assistance to identity crime victims;*
- d. coordination of investigations with other agencies; and*
- e. providing public information on prevention of identity crime.*

**Commentary:** Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect an individual for years. Identity crime has been directly linked to terrorist activities in both funding operations and obtaining documents for illegal purposes.

The initial agency report information may require the use of a special form designed to obtain information unique to this crime. Information from government agencies is readily available to assist a victim in providing notices of identity theft, re-establishing their identity and credit, and for public awareness presentations. (O O O O)

**42.2.9** *A written directive describes the procedures for the investigation of cold case files, which includes:*

- a. defining a cold case;*
- b. establishing cold case evaluation criteria; and*
- c. recording agency investigative actions or activities.*

**Commentary:** Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. With recent advances in DNA (deoxyribonucleic acid) analysis, law enforcement has made a great advancement in its ability to identify unknown offenders, even years after the crime occurred.

Law enforcement agencies should have a procedure where unsolved/cold cases are reviewed for new information or where the application of new technology may be successful in solving the cases. This is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts. (O O O O)

**42.2.10** *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:*

- a. weapons control;*
- b. security concerns;*
- c. number of personnel allowed in the interview room;*
- d. means and methods for summoning assistance, if needed;*
- e. equipment or items to be kept in the interview room or area; and*
- f. access to restrooms, water, or comfort breaks.*



**Commentary:** For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. (MMMM)

# 71

## PROCESSING AND TEMPORARY DETENTION

This chapter is applicable to situations when detainees are transported to a law enforcement facility, other than a holding facility, jail, or corrections facility, but under the control of the agency, for the purpose of processing, testing, or temporary detention. The length of time a detainee is held in temporary detention is measured in hours, not days and does not involve overnight housing or the provision of meals except in extenuating circumstances. Detainees should be kept in temporary detention areas no longer than necessary and should be monitored closely, particularly when they have not been through an intake and medical screening process as required in jails and holding facilities.

For the purpose of this chapter, temporary detention requires confinement within a facility and is not referring to detention of persons in public places. A contact between a law enforcement officer and a person does not become “temporary detention” nor does the person become a “detainee” until such time as the person is in the custody of agency personnel.

This chapter does not apply to the following:

- Detainees in a holding facility (see Chapter 72, Holding Facilities).
- Detainees in a courthouse or courtroom (see Chapter 73, Court Security).
- Detainees in a jail.
- Detainees in rooms designed for interviews (see Chapter 42, Criminal Investigations).

Jails or other correctional institutions are not accredited as part of the *Standards for Law Enforcement*. The American Correctional Association (ACA) should be contacted for information concerning *Standards for Adult Detention Facilities*.

Once temporary detention is authorized, the agency should have clear written directives and adequate training to ensure the security and safety of agency personnel, detainees, and members of the public who may be in proximity to the temporary detention areas utilized by the agency. An apparent cooperative detainee can become combative quickly and without warning. The agency should consider contingencies for such a situation.

Agency written directives should describe the temporary detention area and authorize its use, specifying time limits, if any, for the activity or process. The agency should also consider other provisions, such as the likely proximity of the detainee to those responsible for the detainee’s welfare.



Constant supervision is required for processing and testing. For example, if a detainee is restrained within a booking room, it may be permissible for the person responsible for the detainee to complete paperwork in close proximity to the detainee, but unreasonable to expect that person could leave the area of the booking room without jeopardizing safety and increasing the potential for escape.

Temporary detention usually involves being in close proximity with detainees, such as fingerprinting or administering breath tests or other procedures. Safety considerations such as securing weapons beforehand, how and when to secure weapons when in the presence of a detainee, and what alternative methods, if any, are available for processing unruly detainees should be considered when promulgating the agency's written directives.

The agency should also provide guidance for what to do if it appears the temporary detention time limit may be exceeded. The agency may require its personnel to document the reason for the delay, immediately transport the detainee to a more appropriate facility, or take other appropriate action.

## **71.1 Authorization**

**71.1.1** *A written directive designates specific room(s) and area(s) within the law enforcement facility authorized for use for detainee processing, testing, and temporary detention.*

**Commentary:** Agencies often need to temporarily detain persons as part of the arrest and booking process or before booking them into a holding facility or jail. Daily police operations are often unpredictable, and it may be necessary to use a room, space, or area in a law enforcement facility to separate persons under arrest, maintain control, complete reports and forms, conduct tests, wait for bonding, or help relieve a temporary booking backlog. (M M M M)

## **71.2 Training**

**71.2.1** *Personnel charged with monitoring temporarily detained individuals in the facility are provided initial training on the use of the temporary detention room(s) or area(s) and retraining at least once every three years.*

**Commentary:** Temporary detention occurring outside the confines of a facility such as a holding facility, jail, or other more secure correctional institution can involve close contact with detainees under challenging and less than ideal conditions. To reduce complacency, officer safety issues should be a priority of the agency training for both initial and retraining sessions. A cooperative detainee can quickly turn uncooperative or combative. Agency training should address the resources that are available to agency personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees. A discussion of alternative procedures, such as immediately transferring combative or uncooperative detainees to a more secure facility, or delaying necessary processing or testing until a court order can be obtained, will create a more efficient and safe environment for detainees and agency personnel. (M M M M)

### 71.3 Temporary Detention Room (s)

**71.3.1** *A written directive governs procedures for the following:*

- a. documenting the reason, date and time in and out of the facility, and any meals, if any, that were provided during the detention;*
- b. supervision and accountability for processing, searching, and temporary detention of individuals within the facility;*
- c. securing and monitoring unattended detainees within locked spaces, if authorized;*
- d. temporary restraint of detainees by securing them to fixed objects, if any; and*
- e. the separation of males, females, and juveniles.*

**Commentary:** Documenting aspects of the temporary detention and meeting applicable time constraints help ensure the agency's actions were necessary, defensible, and protect the agency from claims that a detainee was denied due process. Time limitations on temporary detention, if exceeded, should be documented with a reason for the delay. (M M M M)

**71.3.2** *If a detainee is to be secured to an immovable object, it will be designed and intended for such use.*

**Commentary:** This method of restraint should only be used when no other suitable method is available. Immovable objects designed for this purpose may include a bar or ring to which a handcuff can be secured. (M M M M)

**71.3.3** *A written directive addresses the following security concerns in designated temporary detention room(s):*

- a. firearms will be secured before entering the temporary detention room;*
- b. panic or duress alarms;*
- c. authorized access to area and detainee, if any;*
- d. escape prevention;*
- e. face-to-face visual observation of unattended detainees at least every thirty minutes; and*
- f. use of audio and/or video devices, if any, to monitor detainees between the thirty minute face-to-face visual observations.*

**Commentary:** Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. The use of portable radios with a designated signal and procedures for distress in the temporary detention area will suffice for panic or duress alarms.

The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the temporary detention room or areas environment when formulating its directive on the exclusion of firearms.(M M M M)

## 71.4 Temporary Detention Facility Conditions

**71.4.1** *A written directive establishes minimum physical conditions for temporary detention or room(s) and provides for access to water, restrooms, and other needs.*

**Commentary:** These comfort items are not required to be in the room, but the agency is responsible to ensure these items are provided to detainees in a timely manner. (M M M M)

**71.4.2** *There is a plan for fire prevention, fire evacuation, and fire suppression for the temporary detention room(s).*

**Commentary:** The standard does not require a separate plan for the individual area(s) used for temporary detention and can be part of the overall plan for the law enforcement facility. (M M M M)

**71.4.3** *A written directive governs the frequency of inspections of the temporary detention room(s) and provides for the administrative review of temporary detention areas and procedures at least once every three years.*

**Commentary:** Rooms utilized for temporary detention should receive regularly scheduled inspections for cleanliness and to determine if any unsafe conditions are developing. The administrative review should ensure that agency policies and procedures governing temporary detention are being followed and that the original intent for authorization and use of the facility continues to be adequate for the agency's needs. The administrative review can also disclose more adequate arrangements for detention, such as the availability of a newly built central holding facility or jail that was not previously available or considered by the agency. (M M M M)

## 71.5 Processing and Testing

**71.5.1** *A written directive addresses the following security concerns in designated processing or testing room(s) or area(s):*

- a. constant supervision;*
- b. weapons control;*
- c. panic or duress alarms; and*
- d. escape prevention.*

**Commentary:** Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. Officer safety should always be a priority when an agency exercises discretion related to security of weapons, to include firearms. The agency should consider any other items such as knives, batons, chemical sprays, electronic controlled weapons, etc., it may want to exclude from the processing and testing environment when formulating its directive. The use of portable radios with a designated signal and procedures for distress in the processing or testing area will suffice for panic or duress alarms. (M M M M)

- 42.2.2 Follow-Up Investigations Steps
- 42.2.3 Investigative Checklists
- 42.2.4 Patrol Shift Briefing Attendance
- 42.2.5 Investigative Task Forces
- 42.2.6 Polygraph Examinations
- 42.2.7 Informants
- 42.2.8 Identity Crimes
- 42.2.9 Cold Cases
- 42.2.10 Interview Rooms

### **43.0 Vice, Drugs, and Organized Crime**

- 43.1 Administration and Operations
  - 43.1.1 Complaint Management
  - 43.1.2 Records, Storage and Security
  - 43.1.3 Confidential Funds
  - 43.1.4 Equipment, Authorization and Control
  - 43.1.5 Covert Operations

### **44.0 Juvenile Operations**

- 44.1 Administration
  - 44.1.1 Juvenile Operations Policy
  - 44.1.2 Policy Input, Others
  - 44.1.3 Annual Program Review
- 44.2 Operations
  - 44.2.1 Handling Offenders
  - 44.2.2 Procedures for Custody
  - 44.2.3 Custodial Interrogation
  - 44.2.4 School Liaison Program
  - 44.2.5 Community Recreation Programs

### **45.0 Crime Prevention and Community Involvement**

- 45.1 Crime Prevention
  - 45.1.1 Activities
  - 45.1.2 Organizing Prevention Groups
  - 45.1.3 Prevention Input
- 45.2 Community Involvement
  - 45.2.1 Activities
  - 45.2.2 Quarterly Progress Report
  - 45.2.3 Procedures for Transmitting Information

- 45.2.4 Citizens Survey
- 45.2.5 Survey Summary to CEO

## **46.0 Critical Incidents, Special Operations, and Homeland Security**

- 46.1 Critical Incidents
  - 46.1.1 Planning Responsibility
  - 46.1.2 All Hazard Plan
  - 46.1.3 Command Function
  - 46.1.4 Operations Function
  - 46.1.5 Planning Function
  - 46.1.6 Logistics Function
  - 46.1.7 Finance/Administration Function
  - 46.1.8 Equipment Inspection
  - 46.1.9 Annual Training
- 46.2 Special Operations
  - 46.2.1 Special Operations Activities
  - 46.2.2 Tactical Team Selection
  - 46.2.3 Tactical Team Equipment
  - 46.2.4 Hostage Negotiator Selection
  - 46.2.5 Search and Rescue
  - 46.2.6 VIP Security Plan
  - 46.2.7 Special Events Plan
- 46.3 Homeland Security
  - 46.3.1 Liaison with other Organizations
  - 46.3.2 Terrorism Related Intelligence
  - 46.3.3 Providing Awareness Information
  - 46.3.4 Hazemat Awareness

## **52.0 Internal Affairs**

- 52.1 Organizational Integrity
  - 52.1.1 Complaint Investigation
  - 52.1.2 Records, Maintenance and Security
  - 52.1.3 CEO, Direct Accessibility
  - 52.1.4 Complaint Registering Procedures
  - 52.1.5 Annual Summaries; Public Availability
- 52.2 Complaint Procedures
  - 52.2.1 Complaint Types
  - 52.2.2 CEO, Notification
  - 52.2.3 Investigation Time Limits

- 70.3 Special Transport Situations
  - 70.3.1 Sick, Injured, Disabled
  - 70.3.2 Hospital Security and Control
  - 70.3.3 Special Situations
- 70.4 Transport Equipment
  - 70.4.1 Vehicle Safety Barriers
  - 70.4.2 Rear Compartment Modifications
- 70.5 Documentation
  - 70.5.1 Prisoner ID and Documentation

## **71.0 Processing and Temporary Detention**

- 71.1 Authorization
  - 71.1.1 Designate Rooms or Areas
- 71.2 Training
  - 71.2.1 Training of Personnel
- 71.3 Detainee Processing and Control
  - 71.3.1 Procedures
  - 71.3.2 Immovable Objects
  - 71.3.3 Security
- 71.4 Temporary Detention Facility Conditions
  - 71.4.1 Physical Conditions
  - 71.4.2 Fire Prevention/Suppression
  - 71.4.3 Inspections
- 71.5 Processing and Testing
  - 71.5.1 Security Concerns in Designated Processing or Testing Rooms/Areas

## **72.0 Holding Facility**

- 72.1 Organization, Administration, and Management
  - 72.1.1 Training User Personnel
  - 72.1.2 Access, Nonessential Persons
  - 72.1.3 Records Security
- 72.2 Physical Plant
  - 72.2.1 Minimum Conditions

- 72.3 Safety and Sanitation
  - 72.3.1 Fire, Heat, Smoke Detection System, Inspections
  - 72.3.2 Posted Evacuation Plan
  - 72.3.3 Weekly Sanitation Inspection
- 72.4 Security and Control
  - 72.4.1 Securing Firearms
  - 72.4.2 Entering Occupied Cells
  - 72.4.3 Key Control
  - 72.4.4 Facility Door Security
  - 72.4.5 Security Checks
  - 72.4.6 Security Inspections
  - 72.4.7 Tool and Culinary Equipment
  - 72.4.8 Alerting Control Point
  - 72.4.9 Panic Alarms
  - 72.4.10. Procedures, Escape
  - 72.4.11 Report, Threats to Facility
- 72.5 Detainee Processing
  - 72.5.1 Detainee Searches
  - 72.5.2 Intake Forms
  - 72.5.3 Sight and Sound Separation
  - 72.5.4 Segregation
  - 72.5.5 Procedure, Outside Detainees
  - 72.5.6 Procedure, Exceeding Capacity
  - 72.5.7 Identification, Released Detainees
- 72.6 Medical and Health Care Services
  - 72.6.1 Procedure, Medical Assistance
  - 72.6.2 First Aid Kit
  - 72.6.3 Receiving-Screening Information
  - 72.6.4 Posted Access to Medical Service
  - 72.6.5 Dispensing Pharmaceuticals
- 72.7 Detainee Rights
  - 72.7.1 Procedure, Detainee Rights
- 72.8 Supervision of Detainees
  - 72.8.1 24-Hour Supervision
  - 72.8.2 Audio/Visual Surveillance
  - 72.8.3 Supervision, Opposite Sex
  - 72.8.4 Receiving Mail/Packages
  - 72.8.5 Visiting

- 73.0 Court Security**
- 73.1 Administration
  - 73.1.1 Role, Authority, Policies
- 73.2 Operations
  - 73.2.1 Facilities, Equipment, Security Survey
- 73.3 Security Policy and Procedures
  - 73.3.1 Weapon Lockboxes
  - 73.3.2 Use of Restraints
- 73.4 Equipment
  - 73.4.1 Identification, Availability, Operational Readiness
  - 73.4.2 External Communications
  - 73.4.3 Duress Alarms
- 73.5 Court Holding Facilities
  - 73.5.1 Training
  - 73.5.2 Detainee Searches
  - 73.5.3 Detainee Property Security
  - 73.5.4 Segregation
  - 73.5.5 Procedure for Medical Assistance
  - 73.5.6 First Aid Kit
  - 73.5.7 Access of Nonessential Persons
  - 73.5.8 Minimum Conditions
  - 73.5.9 Fire Alarm System
  - 73.5.10 Evacuation Plan
  - 73.5.11 Sanitation Inspection
  - 73.5.12 Securing Firearms
  - 73.5.13 Entering Occupied Cells
  - 73.5.14 Key Control
  - 73.5.15 Facility Door Security
  - 73.5.16 Security Checks
  - 73.5.17 Security Inspections
  - 73.5.18 Designated Control Point
  - 73.5.19 Panic Alarms
  - 73.5.20 Escape Procedures
  - 73.5.21 Report of Threats to Facility
  - 73.5.22 Posted Access to Medical Service
  - 73.5.23 Audio/Visual Surveillance
  - 73.5.24 Supervision of Opposite Sex



## **74.0 Legal Process**

- 74.1 Records
  - 74.1.1 Information, Recording
  - 74.1.2 Execution/Attempt Service, Recording
  - 74.1.3 Warrant/Wanted Person Procedures
- 74.2 Civil Process
  - 74.2.1 Procedure, Civil Service
- 74.3 Criminal Process
  - 74.3.1 Procedure, Criminal Process
  - 74.3.2 Arrest Warrants Require Sworn Service

## **81.0 Communications**

- 81.1 Administration
  - 81.1.1 Agreements, Shared/Regional Facility
  - 81.1.2 Operations Meet FCC Requirements
- 81.2 Operations
  - 81.2.1 24 Hour, Toll-Free Service
  - 81.2.2 Continuous, Two-Way Capability
  - 81.2.3 Recording Information
  - 81.2.4 Radio Communications Procedures
  - 81.2.5 Access to Resources
  - 81.2.6 Victim/Witness Calls
  - 81.2.7 Victim/Witness Requests for Information
  - 81.2.8 Recording and Playback
  - 81.2.9 Local/State/Federal CJI Systems
  - 81.2.10 Alternative Methods of Communication
  - 81.2.11 Emergency Messages
  - 81.2.12 Misdirected Emergency Calls
  - 81.2.13 Private Security Alarms
  - 81.2.14 First Aid Over Phone
- 81.3 Facilities and Equipment
  - 81.3.1 Communications Center Security
  - 81.3.2 Alternate Power Source
  - 81.3.3 Telephone System
  - 81.3.4 Mobile/Portable Radios

## **82.0 Central Records**

- 82.1 Administration
  - 82.1.1 Privacy and Security
  - 82.1.2 Juvenile Records
  - 82.1.3 Records Retention Schedule
  - 82.1.4 UCR/NIBRS
  - 82.1.5 Report Accounting System
  - 82.1.6 Computer File Backup and Storage
  - 82.1.7 Computerized Security Protocol
- 82.2 Field Reporting and Management
  - 82.2.1 Field Reporting System
  - 82.2.2 Reporting Requirements
  - 82.2.3 Case Numbering System
  - 82.2.4 Report Distribution
  - 82.2.5 Reports by Phone, Mail or Internet
- 82.3 Records
  - 82.3.1 Master Name Index
  - 82.3.2 Index File
  - 82.3.3 Traffic Records System
  - 82.3.4 Traffic Citation Maintenance
  - 82.3.5 Operational Component Record
  - 82.3.6 ID Number and Criminal History

## **83.0 Collection and Preservation of Evidence**

- 83.1 Administration
  - 83.1.1 24 Hour Availability
- 83.2 Operations
  - 83.2.1 Guidelines and Procedures
  - 83.2.2 Photography and Video Tapes
  - 83.2.3 Fingerprinting
  - 83.2.4 Equipment and Supplies
  - 83.2.5 Procedures, Seizure of Computer Equipment
  - 83.2.6 Report Preparation
  - 83.2.7 DNA Evidence Collection
- 83.3 Evidence Handling
  - 83.3.1 Collecting from Known Source
  - 83.3.2 Evidence, Laboratory Submission

## **84.0 Property and Evidence Control**

### 84.1 Administration and Operation

84.1.1 Evidence/Property Control System

84.1.2 Storage and Security

84.1.3 Temporary Security

84.1.4 Security of Controlled Substances, Weapons for Training

84.1.5 Records, Status of Property

84.1.6 Inspections and Reports

84.1.7 Final Disposition

84.1.8 Property Acquired through the Civil Process

- security 82.1.7
- seizure of computer equipment 83.2.5
- software policy 11.4.4
- Conditions of work 22.3
- Confidential funds
  - accounting 17.4.2
  - provision 43.1.3
- Constitutional rights
  - access to counsel 1.2.3, 42.2.10, 72.7.1
  - Bias Based Profiling 1.2.9
  - covert operations 43.1.5
  - detainee 72.7.1
  - interview and interrogation 1.2.3, 44.2.3
  - juvenile 44.2.2
  - privacy 72.1.3
  - search/seizure 1.2.4, 72.5.1
- Consular notification 1.1.4
- Contract law enforcement **3**
- Controlled substances 84.1.4
- Coordination, interagency
  - concurrent jurisdiction 2.1.2
  - criminal justice 61.3.6
  - federal 2.1.4
  - mutual aid 2.1.3
  - planning 61.3.6
  - task forces 42.2.5
- Coordination, intra-agency 12.1.4
- Counseling
  - career 33.8.1
  - employee assistance 22.2.3, 22.2.6
  - post-trauma 1.3.8, 22.2.4
- Court security **73**
- Crime analysis 15.3
- Crime information system 82.1.4
- Crime prevention 45.1
- Crime reporting 82.2
- Crime scene
  - processing 83.2
  - protection 42.2.1
- Crime victim
  - assistance **55**, 81.2.6
- Criminal history files 82.1.1, 82.3.6
- Criminal intelligence 42.1.6
- Criminal Investigation **42**
  - follow-up 42.2.2
  - informal 42.2.7
  - preliminary 42.2.1
- Criminal investigators
  - accountability 42.1.4
  - patrol shift briefings 42.2.4
  - temporary assignment 16.2.3
- Criminal process 1.2.5, 74.1, 74.3
- Crossing guards 61.3.4
- Deadly force 1.3.2
  - administrative review 1.3.8
  - medical aid 1.3.5
  - training 1.3.11, 16.3.6, 33.5.1
  - vehicle pursuit 41.2.2
- Detainees
  - holding conditions 72.2.1, 72.5.3
  - processing 72.5
  - rights 72.7.1
  - supervision 72.8
  - temporary **71**
- Directives, written 12.2
- Disasters 46.1.2
- Disciplinary procedures
  - appeal 26.1.6
  - awards 26.1.2
  - discipline 26.1.4
  - dismissal 26.1.7
  - Employee Assistance Program 22.2.6
  - records 26.1.8
  - supervision/authority 26.1.5
- Discretion 1.2.6, 1.2.7, 44.2.1, 61.1.2
- Dismissal 26.1.7
- Disposition of property 84.1.1, 84.1.7
- Distribution of personnel 16.1.2
- Diversion
  - juveniles 44.2.1
  - programs 1.1.3
- DNA 83.2.7
- Driver re-examination 61.1.12
- Duties and responsibilities
  - academy administration 33.2.1
  - auxiliaries 16.4.1
  - civil process 74.2.1
  - classification 21.2.1, 21.2.2
  - contract services 3.1.1
  - crime scene processors 83.1, 83.2
  - criminal investigations 42.1.4
  - disciplinary 26.1.5
  - extra-duty employment 22.3.4
  - field training officers 33.4.3
  - fiscal management 17.1.1
  - inspections **53**
  - interagency agreements 2.1.2
  - Internal Affairs **52**

- job announcements 31.3.1
- performance evaluations 16.3.8, 35.1.1
- promotional announcement 34.1.5
- reserves 16.3
- school crossing guards 61.3.4
- task analysis 21.1.1
- task forces 42.2.7
- traffic collisions 61.2.1, 61.2.3
- training committee 33.1.1
- vehicle pursuit 41.2.2
- Education
  - benefits 22.2.2
  - traffic safety, public 61.4.4
- Eligibility lists
  - promotional 34.1.6
- Emergency(ies)
  - All hazard **46**
  - calls, response 41.2.1
  - command protocol 12.1.2
  - communications 81.2.5
  - holding facility 71.3.3, 72.3.2, 72.4.8, 72.4.10, 73.5.18, 73.5.20
  - motor vehicle pursuits 41.2.2
  - messages 81.2.11
  - mutual aid 2.1.3, 2.1.4
  - power source 81.3.2
  - prisoner transportation 70.1.7
  - telephone number 81.2.2, 81.2.12, 81.3.3
  - unusual occurrences **46**
- Employee Assistance Program (EAP) 22.2.6
- Employee identification 22.2.7
- Equal Employment Opportunity 31.2.3
- Equipment
  - All hazard 46.1.6
  - body armor 41.3.6
  - contract services 3.1.1
  - control, agency 17.5.1
  - communications 81.2.9, 81.3
  - court security 73.2.1, 73.4
  - covert operations 43.1.4, 43.1.5
  - crime scene processing 83.2.4
  - critical incident readiness 46.1.8
  - emergency response 41.2.1, 41.3
  - general patrol service 41.3.1, 41.3.2
  - holding facility 72.3.1, 72.4.6-72.4.9, 72.6.2, 72.8.2
  - inspections **53**
  - multiyear plan 15.1.3
  - prisoner transport 70.4
  - purchase 17.3.1
  - readiness 17.5.3
  - reserves 16.3.4
  - safety restraining devices 41.3.3
  - special purpose vehicles 41.1.3
  - tactical team 46.2.3
  - traffic enforcement 61.1.5
  - unmarked vehicles 41.2.1
  - VIP protection 46.2.6
- Escape, prisoner 70.1.7, 72.4.10, 73.5.20
- Escort services 61.3.3
- Ethics 1.1.2
- Evaluation
  - Recruitment Plan 31.2.2
  - crime analysis 15.3.1
  - crime prevention programs 45.1.1
  - goals and objectives 15.2.2
  - juvenile programs 44.1.3
  - performance **34**
  - promotional procedures 34.1.3
  - specialized assignments 16.2.1
  - task forces 42.2.5
  - traffic enforcement 61.1.1
  - training 33.1.1, 33.3.1, 33.4.2, 33.4.3, 33.5.2
- Evidence
  - collection and preservation **83**
  - criminal investigations 42.2.1, 42.2.2
  - custody, in **84**
- Exceeding prisoner capacity procedure 72.5.6
- Executive protection 46.2.6
- Extra-duty employment 22.3.4
- Federal assistance 2.1.4
- Field interviews 1.2.3
- Field training
  - recruit 33.4.3
  - reserves 16.3.3
- Financial management **17**
- Fingerprints arrestee 1.2.5, 82.3.6
  - crime scene 83.2.1, 83.2.3, 83.2.4
  - juvenile 82.1.2
- Firearms
  - authorized 1.3.9, 1.3.10
  - discharge 1.3.6
  - evidence 83.3.2
  - holding facility 72.4.1, 73.5.12
  - in-custody, storage 84.1.1, 84.1.2
  - prisoner transport 70.1.6
  - proficiency 1.3.10, 1.3.11, 16.3.6
  - specialized 46.2.3

**Change Notice No. 2.5:  
Recognition Standards for Law Enforcement Agencies Amendments  
Enacted by the Commission on March 20, 2009**

***Background***

This is the fifth change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notice 2.1, Change Notice 2.2, Change Notice 2.3 and Change Notice 2.4 were previously made available to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 2.1 bear the dates July 2006 and November 2006, Change Notice 2.2 bear the dates July 2007, November 2007, March 2008, Change Notice 2.3 bears the date July 2008 and Change Notice bears the date December 2008.

***Standards Amendments and Other Revisions Accompanying This Change Notice***

***Table of Contents:*** Standard number change.

***Standard 1.3.1:*** Standard language change.

***Standard 1.3.9:*** Standard language change.

***Standard 22.3.5:*** Renumbered from 22.3.4.

***Introduction to Chapter 46:*** Language Change

***Standard 46.1.2:*** Standard language change.

***Appendix H: STANDARD TITLES***

H-4 – Added 22.3.3

H-5 – Changed 22.3.3 to 22.3.4

H-5 – Changed 22.3.4 to 22.3.5

***Where to Insert This Notice and Accompanying Pages***

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old, correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.

## **Change Notice 2.1 (January 2007)**

Standard 22.2.7: Standard and Commentary language were changed.  
Standard 71.3.3: Changed language for bullet a and added commentary language.  
Chapter 72 Introduction: Language change.  
APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.  
APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

## **Change Notice 2.2 (March 2008)**

Standard 16.3.3: Addition of Commission Interpretation.  
Standard 25.1.3: Language and Levels of Compliance changes.  
Standard 35.1.2: Language change.  
Standard 42.2.8: Language change.  
Chapter 45 Introduction: Language change.  
Standard 46.3.4: Language change.  
Standard 52.1.5: Levels of Compliance change.  
Chapter 71 Introduction: Language change to Introduction.  
Standard 71.3.3: Language change.  
Standard 71.4.1: Language change.  
Standard 71.4.2: Language change.  
Standard 71.4.3: Language change.  
Subsection 71.5 Processing and Testing: New.  
Standard 71.5.1: New.  
Standard 81.2.10: Language change.  
Standard 81.2.14: Moved to Standard 82.2.5.  
Standard 81.2.15: Renumbered to Standard 81.2.14.  
Standard 84.1.6: Commentary Language change.  
APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.  
Language change to Temporary Detention.  
APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

## **Change Notice 2.3 (July 2008)**

Table of Contents: New Standards.  
Standard 33.5.4: Language change.  
Introduction to Chapter 42: Added paragraph 3.  
Standard 42.1.6: Revised.  
Standard 71.1.1: New Standard.  
Standard 71.5.1: New Standard.  
Appendix H: STANDARD TITLES  
H-10 – 46.3.4 changed to Hazemat Awareness.  
H-16 – 81.2.14 moved to 82.2.5 (H-17).  
H-16 – 81.2.15 changed to 81.2.14.

## **Change Notice 2.4 (December 2008)**

Standard 1.3.6: Commentary language change.

Standard 1.3.9: Commentary language change.

Appendix A: GLOSSARY – Added new terms:

PHOTOGRAPHIC LINEUP

PHYSICAL LINEUP

SHOW-UP

Appendix H: STANDARD TITLES

H-9 – Added 42.2.11 and 42.2.12.

Index

Index-4 – Added Eyewitness identification

Index-6 – Added Line-up

Index 8 – Show-up





## **CHAPTERS 21-26 THE PERSONNEL STRUCTURE**

CHAPTER 21	CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES	
	21.1 Task Analysis	21-1
	21.2 Classification	21-2
CHAPTER 22	COMPENSATION, BENEFITS, AND CONDITIONS OF WORK	
	22.1 Compensation	22-1
	22.2 Benefits	22-2
	22.2.2 Personnel Benefits	22-2
	22.2.4 Line of Duty Deaths	22-3
	22.3 Conditions of Work	22-5
	22.3.5 Extra Duty Employment	22-5
CHAPTER 23	[Reserved]	
CHAPTER 24	COLLECTIVE BARGAINING	
	24.1 Collective Bargaining and Contract Management	24-1
CHAPTER 25	GRIEVANCE PROCEDURES	
	25.1 Grievance Procedures	25-1
CHAPTER 26	DISCIPLINARY PROCEDURES	
	26.1 Disciplinary Procedures	26-1
	26.1.1 Conduct & Appearance	26-1
	26.1.3 Harassment Policy	26-1
	26.1.4 Disciplinary System	26-2
	26.1.6 Disciplinary Appeals	26-2
<b>CHAPTERS 31-35</b>	<b>THE PERSONNEL PROCESS</b>	
CHAPTER 31	RECRUITMENT	
	31.1 Administrative Practices and Procedures	31-2
	31.2 Equal Employment Opportunity and Recruitment	31-2
	31.2.1 Ethnic and Gender Composition	31-2
	31.2.2 Recruitment Plan	31-2
	31.3 Job Announcements and Publicity	31-3

CHAPTER 32	SELECTION	
	32.1 Professional and Legal Requirements	32-1
	32.1.1 Selection Process	32-1
	32.2 Administrative Practices and Procedures	32-3
	32.2.1 Background Investigation	32-3
	32.2.7 Medical Exam	32-4
	32.2.8 Psychological Exam	32-4
CHAPTER 33	TRAINING AND CAREER DEVELOPMENT	
	33.1 Administration	33-2
	33.1.5 Remedial Training	33-3
	33.1.6 Update Training Records	33-3
	33.1.7 Records, All Classes	33-3
	33.2 Academy	33-3
	33.3 Training Instructors	33-5
	33.4 Recruit Training	33-5
	33.4.1 Entry Level Training	33-5
	33.4.3 Field Training	33-5
	33.5 In-service, Shift Briefing, and Advanced Training	33-6
	33.5.1 Annual Retraining	33-6
	33.6 Specialized In-service Training	33-8
	33.6.2 Tactical Training	33-8
	33.7 Civilian Training	33-9
	33.8 Career Development	33-9
	33.8.2 Training of Newly Promoted Personnel	33-9
CHAPTER 34	PROMOTION	
	34.1 Professional and Legal Requirements	34-1
	34.1.3 Promotional Process	34-1
CHAPTER 35	PERFORMANCE EVALUATION	
	35.1 Administration	35-1
	35.1.1 Performance Evaluation System	35-1
	35.1.2 Annual Performance Evaluations	35-2
<b>CHAPTERS 41-46</b>	<b>LAW ENFORCEMENT OPERATIONS</b>	
CHAPTER 41	PATROL	
	41.1 Administration	41-1
	41.2 Operations	41-2
	41.2.1 Call Response Guidelines	41-2

**1.2.5** *A written directive specifies the procedures for any arrest, made with or without a warrant, and includes the criteria for:*

- a. preparing reports;*
- b. fingerprinting; and*
- c. photographing.*

**Commentary:** The written directive should include procedures imposed by the U.S. Supreme Court, the courts of the applicable state and/or country, and any legislation pertaining to or governing the laws of arrest. Also included should be circumstances that permit a warrantless arrest; areas that may be searched incident to an arrest, both with and without a search warrant; procedures for handling persons asserting diplomatic or other forms of immunity (see also standards 61.1.3 and 1.1.4); and requirements that pertain to arrestee rights.

Procedures should specify those offenses where fingerprints and photographs are required. Refer to standard 44.2.2. The directive should be updated in a timely fashion so that it reflects new decisions that add to the substantive laws of arrest. All information should be kept current for persons subsequently arrested, e.g., address, photograph. **(M M M M)**

**1.2.6** *A written directive defines the authority, guidelines, and circumstances when sworn personnel may exercise alternatives to arrest, prearrest confinement, and/or pretrial release.*

**Commentary:** The written directive should identify the authority of sworn officers to use alternatives to arrest, e.g., citations, summonses, referrals, informal resolutions, and warnings, to address the variety of problems they confront. Policy guides and procedural directions should be developed to ensure appropriate use of the alternatives by personnel. **(M M M M)**

**1.2.7** *A written directive governs the use of discretion by sworn officers.*

**Commentary:** In many agencies, the exercise of discretion is defined by a combination of written enforcement policies, training, and supervision. The written directive should define the limits of individual discretion and provide guidelines for exercising discretion within those limits (see standards 61.1.2 and 61.1.5). **(M M M M)**

**1.2.8** *The agency has written procedures for strip and body cavity searches. The procedures shall include:*

- a. authority for conducting strip and body cavity searches with and without a warrant;*
- b. provisions for privacy and search by gender; and*
- c. reporting requirements.*

**Commentary:** Strip and body cavity searches are sometimes necessary for agency safety and security or to seize evidence of criminal activity. These searches, however, are highly intrusive and should be conducted within the limits of legal authority, out of public view, and with due regard for human dignity. Some body cavity searches may require special hygienic procedures and qualified medical personnel to

conduct the search. The procedures should guide agency personnel in conducting strip and body cavity searches that will maximize safety, seize necessary evidence, and be considered reasonable by applicable judicial authority. (M M M M)

**1.2.9** *The agency has a written directive governing bias based profiling and, at a minimum, includes the following provisions:*

- a. *a prohibition against bias based profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts;*
- b. *training agency enforcement personnel in bias based profiling issues including legal aspects;*
- c. *corrective measures if bias based profiling occurs; and*
- d. *a documented annual administrative review of agency practices including citizen concerns.*

**Commentary:** Profiling, in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

Law enforcement agencies should not condone the use of any bias based profiling in its enforcement programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts, and may lead to claims of civil rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community, invites media scrutiny, invites legislative action, and invites judicial intervention.

Law enforcement personnel should focus on a person's conduct or other specific suspect information. They must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others. Annually, the agency should include profiling related training that should include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support. (M M M M)

### **1.3 Use of Force**

**1.3.1** *A written directive states personnel will use reasonable force when force is used to accomplish lawful objectives.*

**Commentary:** None. (M M M M)

**1.3.2** *A written directive states that an officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury. Definitions of conditional terms, such as those for reasonable belief, serious physical injury, or similarly used terms that are used to qualify the directive, shall be included.*

**1.3.9** *A written directive requires that only weapons and ammunition authorized by the agency be used by agency personnel in the performance of their responsibilities. The directive shall apply to weapons and ammunition carried both on and off duty, and must address:*

- a. the types and specifications of all lethal and less lethal weapons approved for use, including those weapons used by members of tactical teams or other specialized personnel;*
- b. the types and specifications of ammunition approved for use, including ammunition used in specialized weapons for members of tactical teams or other specialized personnel;*
- c. the procedure for review, inspection, and approval of all weapons intended for use by each employee in the performance of duty, prior to carrying, by a qualified weapons instructor or armorer;*
- d. a process to remove unsafe weapons;*
- e. the procedure for maintaining a record on each weapon approved by the agency for official use; and*
- f. guidelines for the safe and proper storage of agency authorized firearms.*

**Commentary:** The intent of this standard is to establish strict agency control over all firearms, weapons, and ammunition it allows members to carry and use in the performance of their official duties, both on and/or off duty. Clear guidelines should be established for exact types and specifications of each category of weapon, including specialized weapons used by members of tactical teams or other specialized personnel. Written directives and the guidance provided through specific job descriptions should clearly describe the authority to carry and use weapons within the rules, regulations and laws established by local, regional, tribal, provincial, state or federal authority.

For firearms, the agency should establish an approval process. Each firearm should be identified, meet the agency's established criteria and be safe and in good working order. The user should demonstrate his or her proficiency in using the firearm on an approved qualifying course before being approved, in writing, by the agency, to carry and use the firearm. A certified firearms instructor or armorer should inspect and approve the firearm and oversee the proficiency testing.

A complete record of all weapons approved by the agency should be maintained. For firearms, the record should list the type, description, identifying model, and serial numbers of each firearm, as well as the identity of the owner or assignee. The record should also include the name of the official making the approval, the date of approval, the course fired, and all scores used to qualify the user on the demonstration of proficiency. All approvals should be conditional upon periodic requalification pursuant to procedures established to comply with standard 1.3.11. **(M M M M)**

**1.3.10** *A written directive requires that only agency personnel demonstrating proficiency in the use of agency-authorized weapons be approved to carry such weapons.*

**Commentary:** The intent of this standard is to cover the carrying and use, both on and off duty, of all weapons, such as handguns, shotguns, chemical sprays, or striking weapons (see standard 1.3.9). Demonstrated proficiency includes achieving minimum qualifying scores on a prescribed course; attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. **(M M M M)**

**1.3.11** *At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons and electronic controlled weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. In addition:*

- a. proficiency training must be monitored by a certified weapons or tactics instructor;*
- b. training and proficiency must be documented; and*
- c. the agency must have procedures for remedial training for those employees who are unable to qualify with an authorized weapon prior to resuming official duties.*

**Commentary:** Annual and biennial in-service use of force refresher training need not be as formal as entry level or recruit training. Use of force retraining can be accomplished through a combination of methods; for example, during shift briefing training sessions, reviewing legal updates on use of force issues, or conducting written or skills tests on use of force and less than lethal weapons during annual firearms qualifications courses. Proficiency levels should be established by the agency with input from certified weapons instructors or others in the agency that can validate the criteria. Demonstrated proficiency with less lethal weapons may consist of the same criteria used at entry level, or the course may be modified to either abbreviate or extend the training, based on the agency's experience with the weapon in the field.

The intent of bullet (c) is to ensure that remedial measures are provided, and that an employee failing to demonstrate proficiency with a weapon is not returned to duty with that weapon until such time as proficiency is demonstrated and documented.

Unless they are applied properly, neck restraints and other similar compliance techniques that rely on cutting off the flow of oxygen to the brain have the potential to cause serious injury or death. Therefore, any agency that authorizes the use of such techniques should ensure that its personnel are properly trained in the use of these techniques so that the possibility of injury is minimized. In addition to the initial training, the agency should also provide biennial refresher training to ensure that the skills required for proper application are maintained.

See also standard 33.5.1. Training should be commensurate with the limits and scope of the employees' job responsibilities, e.g., an agency property guard having no arrest authority may be issued a baton and chemical agent, but training proficiency need only cover defensive moves. The curriculum for sworn officers would be more extensive based on the scope of their authority to use force in making arrests.  
**(M M M M)**

**1.3.12** *A written directive requires that all agency personnel authorized to carry lethal and less lethal weapons be issued copies of and be instructed in the policies described in standards 1.3.1 through 1.3.5 before being authorized to carry a weapon. The issuance and instruction shall be documented.*

**Commentary:** None. **(M M M M)**

# 2

## AGENCY JURISDICTION AND MUTUAL AID

Standards in this chapter relate to an agency's jurisdiction and the provision and use of mutual aid and regional law enforcement services among agencies through cooperative agreements.

Agreements should be reached among first responder agencies, non-government organizations (NGO), social service organizations, institutions of higher education, school districts, medical facilities, and private entities in adjoining jurisdictions or within the agency's jurisdiction to provide assistance to each other in the event of natural disaster, mass disorder, pandemic or other emergency situations. Lines of command should be established beforehand. Procedures for the provision of personnel should also be established in advance.

The Commission has exempted state agencies from having formal mutual aid agreements with agencies in adjoining states. Standard 2.1.3 is not applicable for state agencies.

### 2.1 Agency Jurisdiction and Mutual Aid

**2.1.1** *A written directive delineates the specific geographical boundaries of the agency's jurisdiction.*

**Commentary:** It is fundamental that the agency clearly describes, in writing, the geographical boundaries of its jurisdiction. Situations involving overlapping or ambiguous territorial jurisdiction should be avoided. A detailed official map, including the boundaries of the jurisdiction, may satisfy the requirements of this standard. **(M M M M)**

**2.1.2** *A written directive specifies the agency's responsibilities in any interagency agreement regarding concurrent jurisdiction.*

**Commentary:** The intent of the standard is to encourage an agency to identify its responsibilities, with regard to concurrent jurisdiction, which are established as a matter of law or on the basis of interagency agreement. This standard does not require an interagency agreement where none exists. The written directive should clearly outline the source of the concurrent jurisdiction, e.g., cites the specific legal basis or relevant interagency agreement, and should outline such details as identification of which agency responds to a call for service by type, communication linkages between agencies to ensure prompt and appropriate response, provision of back-up support between jurisdictions, and reporting responsibilities and policy concerning the jurisdiction of prosecutors and courts. **(O O O O)**



**2.1.3** *In the absence of controlling legislation governing mutual aid, the agency has written agreements with neighboring agencies to provide mutual aid in emergency situations. The mutual aid agreement must include, at a minimum, the following details:*

- a. the legal status of agencies and agency personnel responding to mutual aid requests;*
- b. procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;*
- c. procedures for requesting mutual aid;*
- d. identity of those persons authorized to request mutual aid;*
- e. identity of persons to whom outside personnel are to report;*
- f. procedures for maintaining radio communication with outside personnel;*
- g. expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources; and*
- h. procedures for review and revision if prescribed in the agreement.*

**Commentary:** Emergency situations often require augmented law enforcement capabilities to restore order or assist victims. The agency's mutual aid agreement should provide all the information necessary to initiate mutual aid activities either on behalf of the agency or at the request of a neighboring law enforcement agency. The agreement should also consider provisions for the indemnification of the provider agency and its personnel, e.g., life, health, and liability insurance.

Whether the agency operates under existing legislation or a mutual aid agreement, it should have a plan for providing or receiving aid in critical incident situations. The plan should assess the extent of aid that could be provided while maintaining adequate law enforcement coverage in the service area. The types and amounts of major resources should be estimated and their locations listed. Planning should also involve liaison with other agencies (non-government organizations (NGO), social service organizations, institutions of higher education, school districts, medical facilities, and private entities) that may be involved when mutual aid is invoked. (O O O O)

**2.1.4** *A written directive governs procedures for requesting federal law enforcement or national guard assistance in emergency situations.*

**Commentary:** None. (M M M M)

## 22.3 Conditions of Work

**22.3.1** *A written directive describes the agency's policy regarding physical examinations for employees. Any examination required of employees in permanent, full-time jobs must be provided at no cost to the employee.*

**Commentary:** A physical examination is a benefit to both the employee and the agency. Any physical examination should be conducted only to confirm the employees' continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.

The nature of some specific positions or responsibilities may necessitate periodic specific health screenings, such as those for crime scene personnel, firearms instructors, or range technicians who are repeatedly exposed to hazardous chemicals or lead contaminants. (M M M M)

**22.3.2** *A written directive describes the agency's policy regarding general health and physical fitness for sworn employees.*

**Commentary:** The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations, and fitness requirements should be specified. Standards of fitness should be those that have been shown to be directly related to the tasks performed, and not serve to eliminate or penalize employees who can otherwise perform the tasks of their assignment, with or without reasonable accommodation. (M M M M)

**22.3.3** *The agency has a written directive that addresses a fitness and wellness program which includes:*

- a.. mandatory or voluntary participation by agency personnel;*
- b. a trained program coordinator;*
- c. individual health screening and fitness assessment;*
- d. individual education and goal setting; and*
- e. ongoing support and evaluation.*

**Commentary:** A fitness and wellness program has two main elements. The first is physical performance, i.e., the development and maintenance of physical performance capability to satisfactorily perform job tasks and personal activities. The second is the individual's present health status as well as the risk for future disease. This is impacted greatly by lifestyle choices, including smoking, nutrition, weight, stress management, inactivity, etc. The agency should also consider incentives to encourage employee participation. (O O O O)

**22.3.4** *A written directive governs the types of off-duty employment in which agency personnel may engage.*

**Commentary:** This standard applies to both sworn and non-sworn personnel. It pertains to secondary employment of the off-duty type—that is, outside employment wherein the use of law enforcement powers is not anticipated. Agencies may want to consider expressing the prohibition of certain types of off-duty employment in general terms, such as proscribing off-duty employment that, in the opinion of the agency, would constitute a conflict of interest or would tend to bring discredit to the agency. The prohibition could be quite specific, such as by focusing on specific jobs or locations. (O O O O)

**22.3.5** *If the agency permits sworn personnel to engage in extra-duty employment, a written directive addresses the following:*

- a. *the requirement that sworn personnel must receive agency permission to engage in extra duty employment;*
- b. *policies that address the behavior and activities of officers during extra-duty employment;*
- c. *approval, review, and revocation processes pertaining to officers' extra-duty employment;*
- d. *designation of a point of coordination or administration within the agency to oversee adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency; and*
- e. *documentation of the significant aspects of each officer's extra-duty employment.*

**Commentary:** This standard pertains to sworn personnel whose secondary employment is of the extra-duty type, that is, outside employment wherein the actual or potential use of law enforcement powers is anticipated.

Bullet (a) requires sworn officers to obtain permission of the agency to engage in extra-duty employment. In addition, the relationship between the extra-duty employer and the officer-employee may be governed by a written agreement between the agency and extra-duty employer. Among other provisions, an agreement might specify that payment by the extra-duty employer for the officer-employee's services shall be remitted to the agency, which will promptly compensate the extra-duty officer.

Regarding policies referred to in bullet (b), the agency might address the following matters, among others, if not already covered by the agreement: authority of officers while working in an extra-duty capacity; responsibilities of the officers to the agency and to extra-duty employers; matters of jurisdiction; callback, if required; limitations, if any, on the number of hours worked per given time period and on the number of hours worked immediately prior to reporting to the agency; use of agency property (weapons, uniforms, and the like); and liability, compensation, and indemnification issues arising from injuries or other incidents occurring during extra-duty employment.

Regarding the approval, review, and revocation processes noted in bullet (c), the agency's written directive should cover a description of those processes, types of extra-duty employment that are prohibited, and agreement by the extra-duty employer to restrictions, if any, on the types and conditions of employment, including an assessment of the potential risk of injury.

With respect to bullet (e), documentation should reflect the unique needs of the agency, the relevant sections of its collective bargaining agreement, if any, as well as pertinent statutory requirements, e.g., the federal Fair Labor Standards Act. Among the significant aspects of extra-duty employment to document, the agency should consider the following: date, time, and place of employment; incidents that

involved use of law enforcement powers, injury to the officer or others, complaints received, and court appearances (scheduled and actually attended) resulting from extra-duty employment; and liability and indemnification concerns stemming from actions during extra-duty employment. (M M M M)



# 46

## **CRITICAL INCIDENTS, SPECIAL OPERATIONS, AND HOMELAND SECURITY**

The standards in this chapter relate to critical incidents encountered, and special operations conducted, by a law enforcement agency.

Critical incidents connote situations, generally of an emergency nature, that result from disasters, both natural and man-made, pandemics and civil disturbances. Disasters include floods, hurricanes, earthquakes, explosions, and tornadoes. Pandemics are infectious disease outbreaks that occur over very large areas, cross international borders, and usually involve large numbers of people. Civil disturbances include riots, disorders, and violence arising from dissident gatherings and marches, public events, political conventions, and labor disputes.

The critical incident section (46.1) follows the structure of the National Incident Management System (NIMS). The incident command system is a component of the National Incident Management System.

The special operations section (46.2) encompasses the use of a tactical team, negotiation with hostage takers or barricaded persons, coverage of special events, protection of VIPs, and conduct of search-and-rescue missions.

In many large agencies, these activities are grouped in a formally organized special operations (or tactical) component that provides a concentration of resources and specialized expertise at a level that could not be achieved as easily by conventional operational components, such as patrol or criminal investigations. Other agencies choose to establish a part-time component, staffed by personnel from other functions who assemble as the need arises. However, special operations encompass activities for responding to certain kinds of emergencies or unexpected situations that might be better served by some type of specialized component rather than organized under conventional operational components.

Smaller agencies may or may not have a special operations (or tactical) component. Regardless, these types of emergency situations arise in jurisdictions of any size and every agency may be the “first responder” even when another, larger agency may be called in to assist or even resolve the incident. For this reason, every agency must have a written plan(s) that outlines the procedures for how the situation will be handled. Agencies need not create separate manuals for each standard. Rather, compliance can be achieved by a single, comprehensive manual which embraces common bullets, with relevant areas addressed by appropriate sections. With the exception of the conditional standards, this chapter applies to every size agency.

Other standards related to this chapter are included in the chapters on mutual aid (Chapter 2), training (Chapter 33), and property and evidence control (Chapter 84).

## 46.1 Critical Incidents

**46.1.1** *A written directive specifies a position in the agency tasked with planning a response to critical incidents.*

**Commentary:** The person holding this position should be the principal planner and advisor on critical incidents to the agency's chief executive officer. In larger agencies, an important part of the duties attendant to this position may be to act as an expediter of resources during critical incidents.

**(M M M M)**

**46.1.2** *The agency has a written "All Hazard" plan for responding to critical incidents such as natural and man-made disasters, pandemics, civil disturbances, mass arrests, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual incidents. The plan will follow standard Incident Command System (ICS) protocols, which include functional provisions for: command (46.1.3), operations (46.1.4), planning (46.1.5), logistics (46.1.6), and finance/administration (46.1.7).*

**Commentary:** The Incident Command System (ICS) has proven very effective in federal and fire services emergencies over the past two decades. This system permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency's (FEMA) ICS is comprehensive, available on the Internet, and widely used.

The Incident Command System (ICS) establishes standardized incident management processes, protocols, and procedures that all responders—federal, state, tribal, and local—will use to coordinate and conduct response actions. With responders using a common language and standardized procedures, they will all share a common focus, and will be able to place full emphasis on incident management when a critical incident occurs—whether terrorism or natural disaster. **(M M M M)**

**46.1.3** *At a minimum, the command function will address the following:*

- a. activating the incident command system;*
- b. establishing a command post;*
- c. initiating the notification and mobilization of additional agency personnel;*
- d. obtaining support from other agencies;*
- e. establishing a staging area, if necessary;*
- f. providing public information and maintaining media relations;*
- g. maintaining the safety of all affected personnel; and*
- h. preparing a documented after action report.*

**Commentary:** None. **(M M M M)**

**46.1.4** *At a minimum, the operations function will address the following:*

- a. establishing perimeters;*
- b. conducting evacuations;*
- c. maintaining command post and scene security;*

- d. providing for detainee transportation, processing, and confinement;*
- e. directing and controlling traffic; and*
- f. conducting post-incident investigation.*

**Commentary:** The operations function is responsible for the management of all tactical operations directly related to the primary mission. (M M M M)

**46.1.5** *At a minimum, the planning function will address the following:*

- a. preparing a documented incident action plan;*
- b. gathering and disseminating information and intelligence; and*
- c. planning post-incident demobilization.*

**Commentary:** The planning function is vital to the success of the critical incident plan. Preparation of a documented incident action plan is one of the first responsibilities of the planning function. This function is also responsible for collecting and evaluating information about the incident, the status of resources, and anticipated equipment and manpower needs. The planning function is typically tasked with assembling information on current and alternative strategies, identifying needs for special resources, providing periodic predictions on incident potential, and preparing recommendations for release of resources. (M M M M)

**46.1.6** *At a minimum, the logistics function will address the following:*

- a. communications;*
- b. transportation;*
- c. medical support;*
- d. supplies; and*
- e. specialized team and equipment needs.*

**Commentary:** The logistics function provides manpower, facilities, services, and materials in support of the critical incident. (M M M M)

**46.1.7** *At a minimum, the finance/administration function will address the following:*

- a. recording personnel time;*
- b. procuring additional resources;*
- c. recording expenses; and*
- d. documenting injuries and liability issues.*

**Commentary:** The finance and administrative function is responsible for all financial and cost analysis aspects of the critical incident. (M M M M)

**46.1.8** *The agency completes a documented quarterly inspection for operational readiness of equipment designated for use in support of its critical incident plan.*



**Commentary:** To ensure the readiness of equipment to be used in support of emergency operations, critical incident plans should show the numbers and types of equipment and supplies needed for various emergencies. (M M M M)

**46.1.9** *A written directive provides for documented annual training on the agency's "All Hazard" plan for affected agency personnel.*

**Commentary:** The expanding scope and sophistication of emergency operations, along with increased possibilities of pandemics and acts of terrorism, require law enforcement agencies to quickly act to stabilize and control emergency situations. Increasingly, law enforcement agencies must deal with large catastrophes with little or no notice. Immediate and decisive action is required to minimize loss of life, reduce property damage, and permit involved authorities to fulfill their responsibilities.

The Incident Command System (ICS) permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency (FEMA)'s ICS is comprehensive, available on the Internet, and widely used. An agency may choose a different model but must insure that it accomplishes the intent of ICS and that any system used is readily adaptable to systems other agencies may use in important areas, e.g., terminology, modular organization, integrated communications, and unity of command. The ICS will not be effective if training is not provided or if it is not used.

While the law enforcement mission is often handled with few officers, there are situations that quickly escalate into major incidents. It is important to work with other agencies that use this system, so when crises arise, all personnel are familiar with the ICS structure and can function effectively within it. Compatibility between agency ICSs is imperative if ICS is to work effectively. This standard does not require the use of ICS with minor instances handled solely by the agency.

Additionally, not all components of ICS need to be activated when the system is operational; only those that are needed in the situation should be used. Component activation and deactivation depends upon changing circumstances.

Training should include tabletop, actual exercises, multiple agency involvement, and may be in conjunction with specific plans required in other standards and operations in Chapter 46.

The agency should also consider the effect of this standard on other standards that address command protocol and require coordination and authority, e.g., standards 12.1.2 and 12.1.4. (O M M M)

## **46.2 Special Operations**

**46.2.1** *A written directive establishes procedures for special operations activities including:*

- a. the responsibilities that agency personnel are to assume until assistance arrives;*
- b. deployment of tactical teams to supplement other operational components; and*
- c. coordination and cooperation between tactical teams and other operational components.*

**Commentary:** For those special operations the agency does not perform, the directive should identify where such assistance is available and how it is requested. Guidelines should also be established for use

# 83

## COLLECTION AND PRESERVATION OF EVIDENCE

The effective exercise of law enforcement responsibility in the investigation of crime and in the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods. There is no practical alternative. Research has shown clearly that physical evidence must be identified, collected, and preserved properly, and transmitted to the laboratory promptly if laboratory support resources are to be used effectively.

### 83.1 Administration

**83.1.1** *Qualified personnel are available on 24-hour basis to process a crime scene/traffic collision.*

**Commentary:** If a crime/collision has occurred and involves the prompt collection and preservation of physical evidence, 24-hour crime scene processing capability should be available. When the immediate services of a crime scene processor are required, personnel with these skills should be notified as soon as possible. In many cases, the implementation or continuation of the investigative process should await completion of certain aspects of the crime scene processor's work. Therefore, it is important that the processor be notified to coordinate their arrival at the scene and to provide instructions to on-scene personnel on how to proceed until they arrive. Smaller departments may have skilled personnel on call or may have arranged to acquire such personnel from another agency. (M M M M)

### 83.2 Operations

**83.2.1** *A written directive establishes guidelines and procedures used for collecting, processing, and preserving physical evidence in the field, and includes the documented transfer of custody of physical evidence, while in the field.*

**Commentary:** The agency should develop general guidelines for its approach to crime scene processing. For example, the first rule may be to secure and protect the crime scene. Agency policy should dictate whether processing is to be conducted by field personnel or specialists. Processing procedures should determine the progression of tasks, such as photograph, sketch, fingerprint, mark, and collect.

The directive should also provide guidelines for the preferred methods of collecting, marking/labeling, and packaging/storing a variety of evidentiary items. Methods used are those that should preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible and practical.

For physical evidence to be accepted by the court at time of trial, it is essential that the chain of evidence be maintained. The initial step in this process is marking or labeling the item at the time it is collected, seized, or received. Items should be marked so as not to damage or contaminate the evidence. Items that cannot be marked should be placed in an appropriate container, sealed, and the container labeled.

Vehicles used for processing crime scenes should have equipment to recover fingerprints, take photographs, sketch the crime scene, and collect and preserve evidence.

For all items of evidence gathered at a crime scene, the investigator and/or processor should prepare a list containing a description of the item collected (including make, model, and serial number, if any), the source (person or location obtained from), and the name of the person collecting the item. The inventory is essential to the investigator and the processor for recording activities at the scene and qualifying the evidence at the time of trial.

If the evidence is transferred to another person prior to being logged in with the agency, documenting the transfer is critical to maintaining the chain of custody. The record of transfer of physical evidence should include the following: date and time of transfer; receiving person's name and functional responsibility; reason for the transfer; name and location of the laboratory; synopsis of the event; examinations desired; and date of transfer to a laboratory not within the agency. This standard applies to all persons, functions, and components responsible for collecting evidence. (M M M M)

**83.2.2** *A written directive governs procedures used for conventional and digital photography, imaging and videotaping pursuant to the collection and preservation of evidence. The directive specifies the information to be recorded when these methods are used.*

**Commentary:** Photographs and/or videotapes are critically important as evidence. Preferably, they should be taken by personnel trained in photography and video procedures. The directive should specify the information to be recorded when photographs and videotapes are taken, as well as the procedure for their storage, in order to be qualified in the future as competent evidence. Procedures should be consistent with applicable statutory and case law. (M M M M)

**83.2.3** *A written directive governs the procedures for processing, developing, lifting, and labeling all fingerprints pursuant to the collection and preservation of evidence.*

**Commentary:** The directive should address the handling of fingerprints taken from known individuals, as well as the processing of latent fingerprints. Procedures for the proper handling, identification, labeling, and storage of known and latent prints should be described. The methods should be consistent with statutory and case law. (M M M M)

**83.2.4** *The agency provides or has access to personnel, equipment, and supplies used for processing scenes for the following purpose:*

- a. *recovery of latent fingerprints;*
- b. *photography;*
- c. *sketch of the scene; and*
- d. *collection and preservation of physical evidence.*

## **15.0 Planning and Research, Goals and Objectives, and Crime Analysis**

- 15.1 Planning and Research
  - 15.1.1 Activities of Planning and Research
  - 15.1.2 Organizational Placement/Planning and Research
  - 15.1.3 Multiyear Plan
- 15.2 Goals and Objectives
  - 15.2.1 Annual Updating/Goals and Objectives
  - 15.2.2 System for Evaluation/Goals and Objectives
- 15.3 Crime Analysis
  - 15.3.1 Establish Procedures

## **16.0 Allocation and Distribution of Personnel and Personnel Alternatives**

- 16.1 Allocation and Distribution of Personnel
  - 16.1.1 Position Management System
  - 16.1.2 Workload Assessments
- 16.2 Specialized Assignment
  - 16.2.1 Annual Review
  - 16.2.2 Announce Openings
  - 16.2.3 Temporary/Rotating Assignments
- 16.3 Reserves
  - 16.3.1 Program Description
  - 16.3.2 Selection Criteria
  - 16.3.3 Entry Level Training
  - 16.3.4 Uniforms and Equipment
  - 16.3.5 In-Service Training
  - 16.3.6 Use of Force Training & Firearms Proficiency
  - 16.3.7 Bonding/Liability Protection
  - 16.3.8 Performance Evaluations
- 16.4 Auxiliaries
  - 16.4.1 Program Description
  - 16.4.2 Training
  - 16.4.3 Uniforms

## **17.0 Fiscal Management and Agency Property**

- 17.1 Fiscal Management
  - 17.1.1 CEO Authority and Responsibility

- 17.2 Budget
  - 17.2.1 Budget Process and Responsibility Described
  - 17.2.2 Functional Recommendations to Budget
- 17.3 Purchasing
  - 17.3.1 Requisition and Purchasing Procedures
- 17.4 Accounting
  - 17.4.1 Accounting System
  - 17.4.2 Cash Fund/Accounts Maintenance
  - 17.4.3 Independent Audit
- 17.5 Agency Property
  - 17.5.1 Inventory and Control
  - 17.5.2 Issue/Reissue Procedures
  - 17.5.3 Operational Readiness

**21.0 Classification and Delineation of Duties and Responsibilities**

- 21.1 Task Analysis
  - 21.1.1 Task Analysis
- 21.2 Classification
  - 21.2.1 Classification Plan
  - 21.2.2 Job Description Maintenance and Availability

**22.0 Compensation, Benefits, and Conditions of Work**

- 22.1 Compensation
  - 22.1.1 Salary Program
- 22.2 Benefits
  - 22.2.1 Leave Program
  - 22.2.2 Benefits Program
  - 22.2.3 Personnel Support Services Program
  - 22.2.4 Victim Witness Services/Line of Duty Death
  - 22.2.5 Clothing and Equipment
  - 22.2.6 Employee Assistance Program
  - 22.2.7 Employee Identification
- 22.3 Conditions of Work
  - 22.3.1 Physical Examinations
  - 22.3.2 General Health and Physical Fitness
  - 22.3.3 Fitness and Wellness Program

- 22.3.4 Off-Duty Employment
- 22.3.5 Extra-Duty Employment

## **24.0 Collective Bargaining**

- 24.1 Collective Bargaining and Contract Management
  - 24.1.1 Agency Role
  - 24.1.2 Ratification Responsibilities

## **25.0 Grievance Procedures**

- 25.1 Grievance Procedures
  - 25.1.1 Grievance Procedures
  - 25.1.2 Coordination/Control of Records
  - 25.1.3 Annual Analysis

## **26.0 Disciplinary Procedures**

- 26.1 Disciplinary Procedures
  - 26.1.1 Code of Conduct and Appearance
  - 26.1.2 Employee Awards
  - 26.1.3 Sexual Harassment
  - 26.1.4 Disciplinary System
  - 26.1.5 Role and Authority of Supervisors
  - 26.1.6 Appeal Procedures
  - 26.1.7 Dismissal Procedures
  - 26.1.8 Records

## **31.0 Recruitment**

- 31.1 Administrative Practices and Procedures
  - 31.1.1 Agency Participation
  - 31.1.2 Assignment/Recruitment
- 31.2 Equal Employment Opportunity and Recruitment
  - 31.2.1 Work Force Analysis
  - 31.2.2 Recruitment Plan
  - 31.2.3 Equal Employment Opportunity Plan
- 31.3 Job Announcements and Publicity
  - 31.3.1 Job Announcements
  - 31.3.2 Posting Locations
  - 31.3.3 Maintaining Applicant Contact
  - 31.3.4 Application Rejection

## **32.0 Selection**

### 32.1 Professional and Legal Requirements

#### 32.1.1 Selection Process Described

#### 32.1.2 Job Relatedness

#### 32.1.3 Uniform Administration

#### 32.1.4 Candidate Information

#### 32.1.5 Notification of Ineligibility

#### 32.1.6 Records

#### 32.1.7 Selection Material Security

### 32.2 Administrative Practices and Procedures

#### 32.2.1 Background Investigations

#### 32.2.2 Training

#### 32.2.3 Records Retention

#### 32.2.4 Polygraph Examinations

#### 32.2.5 Conducted by Trained Personnel

#### 32.2.6 Use of Results

#### 32.2.7 Medical Examinations

#### 32.2.8 Emotional Stability/Psychological Fitness Examinations

#### 32.2.9 Records Retention

#### 32.2.10 Entry Level Probation

## **33.0 Training and Career Development**

### 33.1 Administration

#### 33.1.1 Training Committee

#### 33.1.2 Attendance Requirements

#### 33.1.3 Outside Training Reimbursement

#### 33.1.4 Lesson Plan Requirements

#### 33.1.5 Remedial Training

#### 33.1.6 Employee Training Record Maintenance

#### 33.1.7 Training Class Records Maintenance

### 33.2 Academy

#### 33.2.1 Academy Administration and Operation

#### 33.2.2 Academy Facilities

#### 33.2.3 Outside Academy, Role

#### 33.2.4 Outside Academy, Agency Specific Training

### 33.3 Training Instructors

#### 33.3.1 Instructor Training

**Change Notice No. 2.6:  
Recognition Standards for Law Enforcement Agencies Amendments  
Enacted by the Commission on July 31, 2009**

***Background***

This is the sixth change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notices 2.1, 2.2, 2.3, 2.4 and 2.5 were previously made available to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 2.1 bear the dates July 2006 and November 2006, Change Notice 2.2 bear the dates July 2007, November 2007, March 2008, Change Notice 2.3 bear the date July 2008, Change Notice 2.4 bear the date December 2008 and Change Notice 2.5 bear the date March 2009.

***Standards Amendments and Other Revisions Accompanying This Change Notice***

***Standard 83.2.7:*** Commentary language change.

***Standard 84.1.6:*** Standard and Commentary language change.

***Appendix A: GLOSSARY*** – Revised and added new terms.

AUDIT  
INVENTORY  
PROPERTY AND EVIDENCE CUSTODIAN

***Appendix I: SAMPLE SIZE TABLE – EVIDENCE CUSTODIAN CHANGE AUDIT*** – New.

The following correction to a typographical error in the publication is also made as part of this change notice:

ACKNOWLEDGEMENT

***Where to Insert This Notice and Accompanying Pages***

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old, correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.



## **Change Notice 2.1 (January 2007)**

Standard 22.2.7: Standard and Commentary language were changed.  
Standard 71.3.3: Changed language for bullet a and added commentary language.  
Chapter 72 Introduction: Language change.  
APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.  
APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

## **Change Notice 2.2 (March 2008)**

Standard 16.3.3: Addition of Commission Interpretation.  
Standard 25.1.3: Language and Levels of Compliance changes.  
Standard 35.1.2: Language change.  
Standard 42.2.8: Language change.  
Chapter 45 Introduction: Language change.  
Standard 46.3.4: Language change.  
Standard 52.1.5: Levels of Compliance change.  
Chapter 71 Introduction: Language change.  
Standard 71.3.3: Language change.  
Standard 71.4.1: Language change.  
Standard 71.4.2: Language change.  
Standard 71.4.3: Language change.  
Subsection 71.5 Processing and Testing: New.  
Standard 71.5.1: New.  
Standard 81.2.10: Language change.  
Standard 81.2.14: Moved to Standard 82.2.5.  
Standard 81.2.15: Renumbered to Standard 81.2.14.  
Standard 84.1.6: Commentary Language change.  
APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.  
Language change to Temporary Detention.  
APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

## **Change Notice 2.3 (July 2008)**

Table of Contents: New Standards.  
Standard 33.5.4: Language change.  
Chapter 42 Introduction: Added paragraph 3.  
Standard 42.1.6: Revised.  
Standard 71.1.1: New Standard.  
Standard 71.5.1: New Standard.  
Appendix H: STANDARD TITLES  
H-10 – 46.3.4 changed to Hazemat Awareness.  
H-16 – 81.2.14 moved to 82.2.5 (H-17).  
H-16 – 81.2.15 changed to 81.2.14.

### **Change Notice 2.4 (December 2008)**

Standard 1.3.6: Commentary language change.

Standard 1.3.9: Commentary language change.

Appendix A: GLOSSARY – Added new terms:

PHOTOGRAPHIC LINEUP

PHYSICAL LINEUP

SHOW-UP

Appendix H: STANDARD TITLES

H-9 – Added 42.2.11 and 42.2.12.

Index

Index-4 – Added Eyewitness identification

Index-6 – Added Line-up

Index 8 – Show-up

### **Change Notice 2.5 (March 2009)**

Standard 1.3.1: Standard language change.

Standard 1.3.9: Standard language change.

Chapter 2 Introduction: Language change

Standard 2.1.3: Standard and Commentary language change.

Standard 22.3.3: New.

Standard 22.3.4: Renumbered from 22.3.3.

Standard 22.3.5: Renumbered from 22.3.4.

Chapter 46 Introduction: Language change

Standard 46.1.2: Standard language change.

Standard 46.1.9: Commentary language change.

Standard 83.2.2: Standard language change.

Appendix H: STANDARD TITLES

H-4 – Added 22.3.3

H-5 – Changed 22.3.3 to 22.3.4

H-5 – Changed 22.3.4 to 22.3.5



# ACKNOWLEDGEMENTS

The Commission is deeply indebted to the 2005 Recognition Standards Review Committee members who unselfishly gave of their time and energy to complete the top-to-bottom review of the *Recognition Standards for Law Enforcement Agencies* manual (first edition) approved in July 2000.

- Group 1 (Administration)
  - Michael French (chair), Chief, Goffstown (NH) Police Department
  - Philip Potter, Chief, Huntersville (NC) Police Department
- Group 2 (Personnel)
  - Ray Johnson (chair), Chief, Chesterfield (MO) Police Department
  - Ronald Ferrell, Chief, Mason (OH) Police Department
- Group 3 (Operations)
  - James Carmody (chair), Major, Port Huron (MI) Police Department
  - James Fox, Chief, Newport News (VA) Police Department
- Group 4 (Support)
  - Grayson Robinson, Sheriff, Arapahoe County (CO) Sheriff's Office
  - Dorris Certain, Accreditation Manager, University Park (TX) Police Department
  - Larry Button, Chief Administrative Officer, Peel (ON) Regional Police Service

Special thanks are extended to Commissioner Louis Dekmar who served as chair of the 2005 Recognition Standards Review Committee. Karen Shepard, Program Manager, served as the CALEA Staff Liaison.

## 2006 Commission:

James O'Dell, President, Chief, Kettering (OH) Police Department  
Mary Ann Viverette, Vice President, Chief, Gaithersburg (MD) Police Department  
Robert Greenlaw, Secretary, Director, Northwest Bergen (NJ) Central Dispatch  
Patrick Oliver, Treasurer, Director, Cedarville University (OH) Criminal Justice Program  
Ron Ace, Chief (R), Concord (CA) Police Department  
Charles Austin, City Manager, Columbia (SC)  
Theron Bowman, Chief, Arlington (TX) Police Department  
Louis Dekmar, Chief, LaGrange (GA) Police Department  
Donald Eslinger, Sheriff, Seminole County (FL) Sheriff's Office  
John Glover, Vice President (R), Bristol-Myers Squibb Company (NY)  
Jack Greene, Professor, Northeastern University (MA) College of Criminal Justice  
Richard Holden, Colonel (R), North Carolina State Highway Patrol  
Ted Kamatchus, Sheriff, Marshall County (IA) Sheriff's Office  
John LaFlamme, Chief (R), Lethbridge (AL) Police Service  
A. DeWade Langley, Director, Oklahoma State Bureau of Investigation  
Joseph Polisar, Chief, Garden Grove (CA) Police Department  
James Robey, County Executive, Howard County (MD)  
J. Grayson Robinson, Sheriff, Arapahoe County (CO) Sheriff's Office  
Sam Sasaki, City Manager (R), Newport (OR)  
Rebecca Virgil-Giron, Secretary of State (NM)  
Grant Wegner, Judge, 16<sup>th</sup> Judicial Circuit (IL)

2006 Commission Staff:

Sylvester Daughtry, Jr., Executive Director  
James D. Brown, Associate Director  
Antonio T. Beatty, Administrative Services Manager  
Christie L. Goddard, Program Manager  
Dennis M. Hyater, Program Manager  
Harold T. LeMay, Program Manager  
Stephen W. Mitchell, Program Manager  
Karen B. Shepard, Program Manager  
Reginald Newell, Planning/Research Coordinator  
Linda L. Phillips, Information Technology Coordinator  
Elaine K. Conner, Contract Specialist  
Wendi G. Jones, Administrative Assistant  
Janice L. Dixon, Program Specialist  
Rhonda O. Garner, Executive Assistant to the Executive Director  
Margaret L. Giglio, Program Assistant  
Maya M. Mitchell, Program Assistant

APPENDIX D	Transition Policy	D-1
APPENDIX E	List of Time Sensitive Activities	E-1
APPENDIX F	List of Observation Standards	F-1
APPENDIX G	File Construction and Documentation	G-1
APPENDIX H	Standard Titles	H-1
APPENDIX I	Sample Size Table - Evidence Custodian Change Audit	I-1
INDEX		Index-1



**Commentary:** In some jurisdictions where crime scene processors are required to go from one crime scene to another without the opportunity to return to a central point to replenish equipment and supplies, a specially built and equipped vehicle should be used, e.g., one having a portable power generator, ladder, and lights. Patrol officers and investigators who are appropriately trained may carry equipment in their vehicles for scene processing. It is important, however, that those who process the scene are equipped with necessary equipment to allow effective and timely processing of the scene. (M M M M)

**83.2.5** *A written directive establishes procedures for the seizure of computer equipment and other devices capable of storing data in an electronic format.*

**Commentary:** Devices capable of storing data are extremely sensitive to electrostatic discharge. Improper handling may cause damage to the device rendering it useless. Methods of collection and transportation of all types of storage media, powered or not, should be established. Simply powering a data storage device on or off can overwrite significant amounts of data causing the integrity of the potential evidence to be lost. All extraction and analysis of data stored on a device seized as evidence should be performed by persons that have received training in data forensics, and are familiar with the proper legal precedent for seizure of such evidence. (M M M M)

**83.2.6** *A written directive governs the preparation of a report by the person who processes a crime/traffic collision scene.*

**Commentary:** An accurate record of events that transpire at the scene in connection with the investigation is required at the time of trial. The directive may require such elements as the following to be included in the report: date and time of arrival at the scene; location of the crime; name of the victims, if known; name of suspect, if known; action taken at the scene, including the number of photographs taken, and whether measurements were made (yes or no); list of physical evidence recovered; and case file reference number.

Other information that should be included when a crime scene processor is involved is the date and time a request for service was received, the name of the investigating officer, the disposition of the physical evidence and exposed negatives, and crime scene measurement information. (M M M M)

**83.2.7** *The agency has DNA evidence collection capabilities and written directives, which include:*

- a. *first responder responsibilities and precautions;*
- b. *procedures for the collection, storage, and transportation of DNA evidence;*
- c. *DNA evidence collection training requirements for persons collecting evidence; and*
- d. *procedures for the submission of DNA evidence to accredited laboratories.*

**Commentary:** A DNA (deoxyribonucleic acid) match is a major factor in solving cases where the identity of the offender is not known. The development of matching DNA has made a major impact on law enforcement and improvements in technology continue to advance this means of identification even with very small or old samples. For maximum success, law enforcement agencies must ensure that agency personnel have a good understanding of where DNA can be found, how to avoid contamination



and preserve fragile DNA evidence. Agency personnel that specialize in evidence collection should have special training in collecting and preserving DNA samples for analysis.

DNA samples should only be submitted to laboratories that are accredited for law enforcement DNA analysis. In the United States, only labs accredited by either the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or the National Forensic Science Technology Center (NFSTC) can perform DNA analysis for submission to the national DNA database, or NDIS (National DNA Indexing System) administered by the FBI. In Canada, all DNA evidence should be sent to the Royal Canadian Mounted Police for processing and submission to the National DNA Databank. (M M M M)

### 83.3 Evidence Handling

**83.3.1** *A written directive requires that materials and substances be collected from a known source, whenever available, for submission to the laboratory for comparison with physical evidence collected.*

**Commentary:** A significant degree of the value of laboratory examinations concerns the identification of substances and comparison of these with materials from known sources. This is true especially in the case of the study of hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks. The location from which samples from a known source are taken is critical where fractures have occurred, such as in the case of glass, wood, paint, and metal. (M M M M)

**83.3.2** *A written directive establishes procedures for submitting evidence to a forensic laboratory, which include:*

- a. *identification of the person responsible for submitting the evidence;*
- b. *methods for packaging and transmitting evidence to the laboratory;*
- c. *types of documentation to accompany evidence when transmitted;*
- d. *receipts to ensure maintenance of chain of evidence; and*
- e. *stipulation that laboratory results be submitted in writing.*

**Commentary:** The written directive should specify procedures for submission of perishable evidence to the forensic laboratory, such as fresh blood, blood stained objects, other physiological stains and tissue, and biological materials. Large and bulky items, firearms, drugs, and other items should be prepared in a uniform manner that is consistent with the requirements of the receiving laboratory.

The responsibility for requesting laboratory examinations and preparing and transmitting the evidence to the laboratory should be defined. Guidelines for the types and preparation of transmittal documents should be described. Chain of custody should be carefully maintained.

Verbal reports from the laboratory may be accepted, but the agency should insist these be followed up by a written report. When the laboratory is part of the agency, the directive should specify that written reports of findings are provided. When a laboratory is not part of the agency, a transmittal letter or written request, as a part of the evidence transmittal form should be used to request a written report of laboratory findings. (M M M M)

Some items of in-custody property, by their very nature, require extra protection, security, and handling precautions. Items such as money, precious metals, jewelry, firearms, and drugs are some that should be considered. The agency may set its own guidelines and determine the degree of extra security required. Providing locked containers, such as vaults, lockers, or interior rooms, should satisfy the requirements of the standard. Further restrictions on access to certain areas also enhance security precautions. It is not necessary, however, for each type of item to have its own separate secure area.

The agency should have access to secure refrigerated storage for perishable items, such as blood and urine specimens. If the agency maintains a lockable refrigerator on its premises for this purpose, use should be restricted to in-custody property and evidence.

In addition to the general property room(s) or facilities, the agency needs to provide secure storage for large items such as vehicles, bicycles, appliances, and the like. Special areas and/or procedures should be provided. External areas, such as impoundment lots, are vulnerable. When assessing the degree of security to provide, the agency should weigh the importance of the property it is placing in these areas and the consequences if the property is stolen, damaged, or contaminated while in-custody.

**(M M M M) Compliance may be OBSERVED.**

**84.1.3** *Secure facilities are provided for storage of in-custody or evidentiary property during periods when the property room is closed.*

**Commentary:** Provisions should be made for securing items of property when the property room is closed. Several methods can be followed to achieve this objective, such as installation and use of one-way drop boxes, lockers, and specially designed containers. **(M M M M) Compliance may be OBSERVED.**

**84.1.4** *A written directive establishes procedures to ensure security and accountability for controlled substances, weapons, or explosives used for investigative or training purposes.*

**Commentary:** Some agencies may choose to utilize seized or forfeited controlled substances, weapons, or explosives for investigative or training purposes. It is critical that the agency establish safeguards to maintain security and integrity of these items. The agency should establish guidelines for the periodic accounting of any item utilized in this manner. **(M M M M)**

**84.1.5** *Records reflect the status of all property held by the agency.*

**Commentary:** Fundamental to the operation of the property room is a records system that reflects the location of the property; date and time when the property was received or released; character, type, and amount of property on hand; and chain of custody from the time the property was stored until its destruction or other final disposition. Many agencies have successfully installed a “bar coding” system for property management. **(M M M M)**

**84.1.6** *In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, the following documented inspections, inventory, and audits shall be completed:*

- a. *an inspection to determine adherence to procedures used for the control of property is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee;*
- b. *an audit of property occurs whenever the property and evidence custodian is assigned to and/or transferred from the position and is conducted jointly by the newly designated property and evidence custodian and a designee of the CEO to ensure that records are correct and properly annotated;*
- c. *an annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence; and*
- d. *unannounced inspections of property storage areas are conducted, as directed by the agency's chief executive officer, at least once a year.*

**Commentary:** The purpose of this standard is to ensure the integrity of the in-custody property and evidence storage system. The inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.

During the joint audit associated with evidence custodian transfers, a sampling of the total amount of high risk (e.g., money, precious metals, jewelry, firearms, and drugs) property records under the agency's care must be reviewed with respect to documentation and accountability. Appendix I should be used to determine the appropriate sample size for high risk items. An error rate that exceeds four percent will require a full inventory of high risk items. For general property the audit associated with evidence custodian transfers should be sufficient to ensure the integrity of the system and accountability of property. The person assuming custody of the property should ensure that records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.

The purpose of the annual audit is to ensure the continuity of custody and not to require the accounting of every single item of property. The audit should be sufficient to ensure the integrity of the system and the accountability of property. The annual audit should be a significant representative sampling of property including high-risk items. The person named to conduct the audit should be appointed by the agency's chief executive officer. Under no circumstances should that inspector be appointed by supervisory or command officers having the property function under their control.

The unannounced inspection is not meant to be a time consuming task. It can be as simple as the chief executive officer, or their designee, entering the property and evidence areas and inspecting for cleanliness, orderliness and tracing a few pieces of property and evidence to assure they are in the proper place as stated in the area's records. **(M M M M)**

**84.1.7** *Final disposition of found, recovered, and evidentiary property is accomplished within six months after legal requirements have been satisfied.*

**Commentary:** Prompt, authorized property removal (final disposition/destruction) prevents an overload on the property management system and reduces the requirement for additional storage space. Also, the lack of prompt disposition procedures further deprives owners of the use of their property. Law enforcement agencies should establish procedures for the prompt photographing and return of property to victims, with the prosecutor's approval. (O O O O)

**84.1.8** *All property acquired through the civil process function or asset forfeiture proceedings are accounted for in agency records and is disposed of by the agency pursuant to legal authority.*

**Commentary:** Federal laws, and in most cases, state and provincial laws regulating the seizure and disposition of property forfeited should be incorporated into the agency's procedures. (M M M M)



# APPENDIX A

## GLOSSARY

### A

**ABANDONMENT:** The situation when a child is told or forced to leave home overnight, or is prevented from returning home overnight by a parent or household adult when no adequate alternative care is arranged, or a child's caretaker makes no effort to recover a child who has run away, or who has been deserted.

**ACADEMY:** A facility at which agency training programs are conducted, usually housing classrooms, gymnasium, library, and offices for academy instructors and staff. Other facilities, such as a firing range and driver-training track, are usually considered to be part of the academy but may not necessarily be located at the same site. The academy may be located at or near headquarters, on the campus of an institution of higher education, or at some other location.

**ADMINISTRATIVE REVIEW:** A documented review of an incident or occurrence prepared by or for the CEO or his/her designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.

**ALL HAZARD PLAN:** See Emergency Operation Plan.

**AMBER ALERT:** (America's Missing: Broadcast Emergency Response plan) Law enforcement, media/broadcasters, transportation and other partners working together to disseminate information to the public in response to the most serious child abduction cases. The twelve elements of an AMBER plan include: the name of plan, stakeholders, memorandum of understanding, criteria, quality control, measures, activation protocol, tools to activate, technology training, phone bank, after action reports and oversight committee.

**ANALYSIS:** A systematic, structured process for dissecting an event into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs and/or policy modification needs.

**APPLICANT:** Any person who applies or makes formal application for employment.

**ARREST:** To deprive a person of his/her liberty by legal authority. (Black's Law Dictionary.) (See Custody; Full-Custody Arrest; Physical Arrest.)

**ARRESTING OFFICER:** A sworn law enforcement officer who takes a person into custody, with or without a warrant.

**ASSESSMENT CENTER:** A standardized evaluation of behavior based upon multiple sources of input and using trained observers and multiple techniques. Judgments about behavior are made from specially

developed assessment exercises designed to measure the participant's performance in specific job-related tasks and situations.

**AT RISK PERSONS:** Any person who is physically or mentally challenged and who poses a risk to themselves or others, e.g., mental disorders, suicidal, Alzheimer's patients, or diabetics.

**AUDIT:** (Standard 17.4.3) A sampling and review of financial records and practices that conforms to generally accepted standards as prescribed by the American Institute of Certified Public Accountants, Government Finance Officers Association, or local legislation. (Standard 84.1.6b) A documented accounting of high-risk items (e.g. cash, precious metals, jewelry, firearms, and drugs) and other evidence and non-agency property to establish that all property is accounted for and records can reasonably be assumed correct. For high-risk items this requires a two-tailed random sampling method be applied to achieve a 95% confidence level with a confidence interval of +/- 3 percent. If the sampling method reveals discrepancies in the records of the evidence/property that exceeds a 4% error rate, a 100% inventory must be conducted on all high-risk items and additional sampling of items in general storage to the satisfaction of the CEO, to re-establish the accuracy of all records. (Standard 84.1.6c) A significant representative sampling of property including high-risk items.

**AUXILIARY:** A non-sworn, unarmed, uniformed or non-uniformed, affiliate whose duties contribute to the mission of the agency in a support capacity. Included are police volunteers, law enforcement cadets, law enforcement explorers, senior citizen groups, and other volunteers. Excluded are part-time paid employees of the agency and reserve officers.

**AVAILABLE WORK FORCE:** The largest potential group or number of individuals eligible, qualified, and capable of assuming specific activities and responsibilities.

## B

**BIAS BASED PROFILING:** The selection of an individual(s) for enforcement action based solely on a trait common to a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

**BOOKING:** A procedure for admitting to a holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.

## C

**CANDIDATES:** Persons seeking employment who meet the minimum requirements of the agency and have completed a formal application.

**CAREER COUNSELING:** The relationship (process) between trained counselor and employee that is designed to facilitate an employee's career choices, comprehension of career goals, and achievement of career goals through meaningful and well-informed choices.

**CAREER DEVELOPMENT ACTIVITIES:** An organized and supervised set of duties or functions designed to stimulate learning, e.g., counseling, training, job rotations.

**CHAIN OF COMMAND:** Formal lines of communication going downward or upward within the organizational hierarchy through each successive level of command.

**CIRCLE SYSTEM:** A series of fixed roadblocks intended to contain a vehicle or suspect in a given area.

**CIRCULATION PATTERNS:** Concern the movement of persons from place to place and for purposes of Chapter 73 standards are divided into three distinct routes. The first pattern is for the movement of the general public, who are usually allowed free movement from place to place, excluding restricted areas. The second pattern provides controlled access in areas used by judges, officers of the court, juries, or visitors whose presence is under control; in many instances, this pattern is also used to move prisoners under escort from a detention area to court and back. The third pattern is under the control of sworn law enforcement officers or custodial officers and is used exclusively for the movement of prisoners and may contain holding areas. The secure area is inaccessible by other than authorized personnel.

**CIVIL ARREST:** A civil arrest is made pursuant to a written order by a judge of a competent jurisdiction in a civil action or proceeding. Such written orders may be given by a supreme court, the family court, county court, district court, or the surrogate's court, depending upon the area of the country.

**CIVIL PROCESS:** Those writs, summonses, mandates, or other process issuing from a court of law or equity pertaining to a cause of action of a civil nature. The term includes original, intermediate, and final process to be served by the agency in any action involving civil litigants.

**CIVILIAN:** A non-sworn person having no arrest authority as defined in "sworn officer" and "full-custody arrest." Civilians may be employed or affiliated with a law enforcement agency in a variety of supporting roles and may be uniformed, but lack the authority to make a full-custody arrest.

**CLASS:** A grouping of jobs for which duties, responsibilities, qualifications, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices. (See Position for the differentiation among class, job, and position.)

**CLASS SPECIFICATION:** An official statement or guideline about the general duties, responsibilities, and qualifications involved in the kinds of jobs included in the same class.

**COMMENTARY:** The "commentary" is the second of the three parts of a "standard" (standard statement, commentary, and levels of compliance). The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of *one* possible way to comply with the standard.

**COMPONENT:** See Organizational Component.

**CONSTANT SUPERVISION:** The direct, personal supervision and control of a detainee by the attending officer who can immediately intervene on behalf of the agency or the detainee.



**CONTRABAND:** Any item that is illegal to possess, to include items that are not permitted within a holding facility because of their possible use to disrupt security measures within the facility.

**COUNSELING:** The giving of advice; advising. As used: discussions between the rated employee and rater leading to advice to the former concerning performance or career development.

**COURT HOLDING FACILITY:** A holding facility located in or adjacent to a court and outside the confines of a jail, where detainees await their court appearance.

**COURT SECURITY OFFICER:** A person, employed by the law enforcement agency, who performs or who is responsible for the court security function.

**CRIMINAL PROCESS:** Those writs, summonses, mandates, warrants, or other process issuing from a court of law compelling a person to answer for a crime. The term also includes process issued to aid in crime detection or suppression, such as search warrants.

**CRITICAL INCIDENT:** An occurrence or event, natural or human-caused, which requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response, such as major planned events and law enforcement incidents.

**CRITICAL MISSING:** A reported missing person who is missing and foul play may be a factor; or any child (as defined by the local jurisdiction) or any at risk person.

**CUSTODY:** Legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person. (See Arrest; Full-Custody Arrest; Physical Arrest.)

## D

**DEMONSTRATED PROFICIENCY:** Attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. Proficiency for firearms includes qualifying on a prescribed course. Proficiency for electronic control weapons includes successfully loading, unloading, deploying and discharging the prongs of the weapon on an annual basis.

**DETAINEE:** A person in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

**DISABLED DETAINEE:** A detainee with an anatomical, physiological, or mental impairment that hinders mobility.

**DIVERSION:** In the broadest sense, any procedure that (1) substitutes non-entry for official entry into the justice process, (2) substitutes the suspension of criminal or juvenile proceedings for the continuation

of those proceedings, (3) substitutes lesser supervision or referral to a non-justice agency or no supervision for conventional supervision, or (4) substitutes any kind of non-confinement status for confinement.

## **E**

**EMERGENCY OPERATION PLAN (EOP):** Commonly referred to as an “ALL HAZARD PLAN,” an EOP is a written plan containing general objectives reflecting the overall strategy for responding to and managing critical incidents. The plan defines the scope of preparedness and incident management activity required of the agency, and is flexible enough for use in all emergencies.

**EMOTIONAL STABILITY/PSYCHOLOGICAL FITNESS EXAMINATION:** Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either deleterious or advantageous to successful job performance.

**EMPLOYEE ASSISTANCE PROGRAM (EAP):** A formal program designed to assist in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee’s personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress, and other personal matters.

**EQUAL EMPLOYMENT OPPORTUNITY:** The provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, sex, religion, national origin, or physical impairment. Where a recruitment plan focuses on additional recruitment steps to be taken to increase the likelihood of hiring a member of an underrepresented group, EEO focuses on ensuring that applicants are treated fairly in the selection process (and in other personnel activities) by giving them the same opportunities for employment. The role of equal opportunity is to create a “level playing field” for all applicants and employees. An equal employment opportunity plan is a document that is designed to state the steps the agency intends to take to ensure that there are no artificial barriers that would prevent members of a protected group from a fair and equitable opportunity to be hired, promoted, or to otherwise take advantage of employment opportunities.

**EVALUATION:** A careful appraisal and study to determine the significance and/or worth or condition, and to draw conclusions pertaining to an item, project, or undertaking.

**EXECUTION:** The performance of an act required by a writ, warrant, or other legal process commanding the seizure of a person or thing, as opposed to mere delivery of an instrument without any concomitant seizure. For the purposes of Chapter 74, a legal attachment is deemed an execution.

**EXERCISE:** Gathering of individuals inclusive of government and private sector persons, to develop plans, practice simulated implementation, and to discuss each agency’s role in handling unusual occurrence incidents. This could include tabletop, functional, and/or full field exercises.

## F

**FIELD TRAINING:** A structured and closely supervised program provided to recruit officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

**FIELD TRAINING OFFICER (FTO):** An officer who has been carefully selected and trained to deliver the field training program to recruit officers.

**FIXED ROADBLOCK:** A full or partial roadblock established at a fixed point.

**FOLLOW-UP INVESTIGATION:** An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.

**FORMAL APPLICATION:** A written form used to express interest in employment and to request information on a person's basic occupational qualifications, work experience, educational background, training, and special skills or abilities.

**FULL-CUSTODY ARREST:** Arrest authority, with or without a warrant, which includes the legal authority to physically remove a person from their location, taking that person to a place of confinement or judicial authority.

For interpretive purposes, the line of demarcation between sworn and non-sworn (or civilian) agency personnel exists with the authority to make a full-custody arrest. A sworn officer has authority to make a full-custody arrest; a non-sworn person does not.

Non-sworn personnel (civilians) may have limited authority to stop and detain persons (such as authority granted security guards), or stop and issue a notice to appear in court (such as authority granted traffic enforcement aides), but they do not possess authority to make a full-custody arrest. A full-custody arrest includes the authority to deny persons their freedom, using force if necessary, to effect the arrest. (See Arrest, Custody; Physical Arrest.)

**FUNCTION:** A general term for the required or expected activity of a person or an organizational component, e.g., patrol function, communications function, the planning function, the crime analysis function.

## G

**GENERAL ORDER:** A term used by some agencies to describe directives of a long standing nature concerned with policy, rules, and procedures affecting more than one organizational component.

**GOAL:** A relatively broad statement of the end or result that one intends ultimately to achieve. A goal usually requires a relatively long time span to achieve and, whenever possible, should be stated in a way that permits measurement of its achievement.

## H

**HOLDING FACILITY:** A confinement facility outside of a jail where detainees are housed, receive meals, and can be detained for periods involving days and overnight stays for a period of not more than 72 hours, excluding holidays and weekends.

## I

**IDENTITY THEFT:** The wrongful use of another person's identifying information, such as credit card, social security, or driver's license numbers to commit financial or other crimes.

**INCIDENT:** An event that requires law enforcement action, documentation, or the dispatching of agency personnel in response to citizen requests for law enforcement services. This includes any incident, whether criminal or non-criminal, which involves a response to the scene, an investigation, or the preparation of an oral or written report.

**INCIDENT COMMAND SYSTEM (ICS):** A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property and the environment. There are five major components: command, planning, operation, logistics, and finance/administration.

**IN CUSTODY:** Being under the full control of a law enforcement officer. (See Full-Custody Arrest.)

**IN-SERVICE TRAINING:** Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and shift briefing training.

**INSPECTION:** A careful and critical examination; a formal review of all components of a particular requirement and an examination of their application.

**INSTITUTION:** A facility that confines persons against their will and/or provides care for persons, e.g., mentally ill, adult or juvenile offenders.

**INTAKE:** The point at which a juvenile offender enters the juvenile justice system. "Intake" may be initiated on request of the law enforcement agency, but the intake process is generally supervised by a probation agency, juvenile court, or special intake unit.

**INVENTORY:** A detailed, itemized list, report, or record of items in one's possession or the process of making such a list, report, or record. (Standard 17.5.1) A detailed itemized list of agency owned or controlled property in possession of the agency, which includes a definition (or value) of what is to be itemized, and a written certification by the person conducting the listing.

## J

**JAIL:** A confinement facility where detainees are housed in excess of 72 hours.

**JOB DESCRIPTION:** An official written statement setting forth the duties and responsibilities of a job, and the skills, knowledge, and abilities necessary to perform it.

**JOB RELATED:** A procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

## L

**LATERAL ENTRY:** The hiring of new employees at advanced ranks or salary based on prior experience elsewhere and/or other job credentials.

**LAW ENFORCEMENT SERVICES UNDER CONTRACT:** The provision of paid law enforcement services in accordance with a written contract. This does not encompass a situation in which an individual performs services for an agency under a personal services contract.

**LEGAL PROCESS:** Any item of civil or criminal process, whether original, intermediate, or final that is valid on its face and is to be served or executed by the law enforcement agency.

**LESSON PLAN:** A detailed guide from which an instructor teaches. The plan includes the goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

**LINE INSPECTION:** Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspection may be carried out by any supervisor within the chain of command and is often conducted by supervisory personnel who may also be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

## M

**MEMORANDUM:** An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.

**MENTAL ILLNESS:** Any condition characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma.

**MOVING ROADBLOCK:** Use of one or more moving vehicles to block the roadway and prevent approaching vehicles from continuing.

## N

**NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS):** A system for incident management that provides a consistent nationwide approach for federal, state, local and non-governmental organizations to work effectively and efficiently to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

## O

**OBJECTIVE:** An objective is an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a subgoal or an element of a goal, and therefore, requires a shorter time to accomplish than does a goal.

**ORGANIZATIONAL COMPONENT:** A subdivision of the agency, such as a bureau, division, section, unit, or position that is established to provide a specific function.

**OUTSIDE ACADEMY:** An academy not operated by the agency, such as a regional or state training academy providing recruit, in-service, or specialized training.

## P

**PERSONNEL EARLY WARNING SYSTEM:** A system for the early identification of agency employees who may need some type of corrective action or intervention and a procedure for collecting and evaluating materials required for implementing such corrective action.

**PERSONAL EQUIPMENT:** Equipment items issued and/or approved by the agency for employee use, e.g., badge, baton and holder, belts, cartridge carrier, departmental and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, side arm and holster, tear gas canister, and whistle.

**PHOTOGRAPHIC LINEUP:** A selected group of photographs of persons presented to a witness containing a single suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

**PHYSICAL ARREST:** Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court. (See Arrest; Custody; Full Custody Arrest.)

**PHYSICAL LINEUP:** A selected group of persons presented to a witness containing a suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

**PHYSICAL PLANT:** The real property facilities housing the agency, its employees and property, including buildings, garages, and other structures. For a holding facility, its physical confines, including the reception area, sallyport, holding cells, and related spaces. If used only for booking detainees into the holding facility, the booking area is also included.

**PLAN:** Documented identification of methods to achieve desirable goals or conditions.

**POLICY:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as “may” or “should” and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules and regulations.

**POSITION:** The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant. For purposes of comparison, a patrol officer assigned as a court officer would occupy a “position.” Patrol officer would be the “job.” A position may have functional responsibility for a single task, e.g., court officer, patrol officer, crime prevention officer, or over several combined tasks, e.g., administrative lieutenant responsible for planning, budget, staff inspections, and internal affairs.

**PRELIMINARY INVESTIGATION:** Generally, the activity that begins when personnel arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

**PROCEDURE:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of “shall” rather than “should,” or “must” rather than “may.” Procedures sometimes allow some latitude and discretion in carrying out an activity.

**PROCESSING:** Includes pre-booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or be escorted to a holding facility, at which time they would be booked.

**PROPERTY AND EVIDENCE CUSTODIAN:** The person who holds authority for the day to day supervision and operation of the property and evidence function.

**PURSUIT:** An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

## R

**REASONABLE BELIEF:** The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**RECRUITMENT ACTIVITIES:** A systematic method of seeking potentially qualified job applicants.

**RECRUITMENT LITERATURE:** Written materials or brochures designed to attract qualified applicants for jobs.

**RECRUITMENT PLAN:** A written plan for actively recruiting underrepresented minorities and women. A recruitment plan assumes the agency is doing more than just fairly implementing their selection procedures and instruments, e.g., providing equal opportunity. Proactive recruitment requires additional



steps, where necessary, to increase the likelihood of attracting qualified applicants of protected groups that are insufficiently represented in the agency's sworn ranks.

**REMEDIAL TRAINING:** Personalized training to correct a specific deficiency, which is usually identified by either testing or other evaluation during training or supervisory evaluation during routine job performance.

**RESERVE:** A sworn officer, armed or unarmed, who works less than full time, with or without compensation, and who, by their assigned function or as implied by their uniform, performs duties associated with those of a police officer.

**RESTRAINING DEVICES:** Equipment used to restrain the movement of the prisoner, such as handcuffs, flex-cuffs, waist chains, ankle chains, restraining straps, straight jackets, or tie-down stretchers.

**REVIEW:** To examine or study; less formal than an analysis.

**ROADBLOCK:** A restriction, obstruction, or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect.

**ROAD SIDE SAFETY CHECK:** A temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles or their contents or to interview drivers.

**RULES AND REGULATIONS:** A set of specific guidelines to which all employees must adhere.

## S

**SALARY AUGMENTATION:** Pay that is added to the base salary of the employee. Such augmentation may be considered as premium pay, merit pay, differential pay, or a temporary increase because of a temporary assignment to a position with higher base salary.

**SEARCH AND RESCUE:** A coordinated effort to locate individuals missing in a wilderness area, in large bodies of water, or elsewhere. Search and rescue missions usually involve use of aircraft, boats, or other special purpose vehicles and specialized personnel such as scuba divers, mountain climbers, or spelunkers.

**SECONDARY EMPLOYMENT:** Any outside employment, which is either extra-duty or off-duty. Extra-duty employment is any secondary employment that is conditioned on the actual or potential use of law enforcement powers by the officer-employee. Off-duty employment is any secondary employment that is not conditioned on the actual or potential use of law enforcement powers by the off-duty employee.

**SECURITY HAZARD:** Any threat to the security of the prisoner, to the facility in which he or she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by the escort officer to provide proper protection for and security of the prisoner.



**SECURITY SURVEY:** An on-site examination and analysis of security needs that determines the nature and degree of the threat, the exact kind and degree of protective measures used, and the precise kinds of security measures that are required and recommends the appropriate policies, procedures, and equipment needed for the security function.

**SELECTION CRITERIA:** Rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

**SELECTION MATERIALS:** All written tests, test scores, answer sheets, study materials, evaluations, ratings, questionnaires, reports, and forms used in the selection process that have a bearing upon the employment decision.

**SELECTION PROCEDURE:** Any established method or combination of methods used in any way as the basis for an employment decision.

**SELECTION PROCESS:** The combined effect of components and procedures leading to the final employment decision, including minimum qualifications, e.g., education, experience, physical attributes, citizenship, residency-written tests, performance tests, oral exams, interviews, background investigations, medical exams, polygraph tests, police academy ratings, probationary period ratings, personality inventories, interest inventories, psychiatric evaluations, veteran's preference, cut-off scores, and ranking procedures.

**SERIOUS PHYSICAL INJURY:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

**SERVICE:** The delivery of any item of civil process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.

**SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**SHIFT BRIEFING:** Training or informational sessions of short duration administered to law enforcement personnel just prior to, or after, their tour of duty.

**SHOW-UP:** A witness views a single suspect for purposes of identification of the suspect as the perpetrator of the crime.

**SKILLS, KNOWLEDGE, AND ABILITIES:** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**SPECIAL EVENT:** An activity, such as a parade, athletic contest, or public demonstration, that results in the need for control of traffic, crowds, or crimes.

**SPECIAL PURPOSE VEHICLE:** A vehicle that requires special training or authorization for deployment. This includes, but is not limited to: SWAT trucks, bomb disposal vehicles, mobile command posts, aircraft, watercraft, and motorcycles. Bicycles, all-terrain vehicles, snowmobiles, and *Segways* may fall under the definition of a special purpose vehicle, if the agency or law requires special licensing or training prior to their use.

**SPECIALIZED ASSIGNMENT:** An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

**SPECIALIZED TRAINING:** Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job-specific subjects, e.g., homicide investigation, fingerprint examination, juvenile investigation.

**SPECIAL ORDER:** A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

**STAFF INSPECTION:** Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. Staff inspectors in larger agencies are generally members of a specialized component responsible for conducting inspections throughout the agency. The results of staff inspections are usually reported to the agency's chief executive officer.

**STATUS OFFENSE:** An act or conduct declared by statute to be an offense only when committed or engaged in by a juvenile, and adjudicated only by a juvenile court.

**SWORN OFFICER:** A person who is granted those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction, including those persons who possess authority to make a full-custody arrest for limited or specific violations of law within the same jurisdiction.

## T

**TACTICAL TEAM:** A group of officers who are specially selected, trained, and equipped to handle high-risk incidents, such as those involving snipers, barricaded persons, hostage-takers, selected warrant services, and other situations or activities as deemed necessary by command leadership.

**TASK:** A unit of work performed by an individual to accomplish the goal of a job.

**TASK ANALYSIS:** A systematic, structured process for dissecting a job into its basic parts. A task analysis identifies the important or essential elements of a job, the key work behaviors, and the knowledge, skills, and abilities required for these work behaviors.

**TASK FORCE:** Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.

**TEMPORARY DETENTION:** Temporary detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances.

**TERRORISM:** Under the Homeland Security Act of 2002, terrorism is defined as activity that involves an act dangerous to human life or potentially destructive of critical infrastructure or key resources and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States in which it occurs and is intended to intimidate or coerce the civilian population or influence a government or affect the conduct of a government by mass destruction, assassination, or kidnapping.

**TRAFFIC ENGINEERING AUTHORITIES:** Persons responsible for traffic engineering in various local, regional, and state agencies, e.g., street or highway department, public works department, transportation department.

**TRAFFIC SURVEY:** An examination of traffic characteristics, such as volume, speed, delay, accidents, origin, destination, etc.

**TRANSPORT VEHICLE:** The vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest; a vehicle of a correction facility designated for prisoner transport but also used for other purposes; or a specially designed prisoner transport vehicle, such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

**TRANSPORTING OFFICER:** A person who is responsible for transporting a prisoner from one point to another. This may be the arresting officer or another agency employee who is assigned to the responsibility for transport.

## U

**UNITY OF COMMAND:** The concept that each individual in the organization has one, and only one, immediate supervisor.

**UNIFIED COMMAND:** Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

**UNLAWFUL HARASSMENT:** Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

## V

**VALIDITY:** Proof through statistical data that a given component of the selection process is job related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

**VICTIM:** A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his or her person or property.

**VIP:** A “very important person,” dignitary, famous personality, notorious person, or any other person in need of special security.

**VOLUNTEERS:** See Auxiliary.

## W

**WORKLOAD:** The sum total of cases and other measurable activities occurring within a given area or time period.

**WRITTEN DIRECTIVE:** Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.



# APPENDIX I

## SAMPLE SIZE TABLE EVIDENCE CUSTODIAN CHANGE AUDITS

The below table has been developed as a tool for use by agencies when determining the appropriate sample size for conducting audits of high risk property as required by *Standard 84.1.6 (b) – Evidence Audits*. This table only applies to high risk property and only for those circumstances when there is a change in evidence custodian. The sample sizes in this table have been calculated based on a 95 percent confidence level and a confidence interval of +/- 3 percent.

When using this table, agencies should determine the total amount of high risk property they currently possess and find that number under “Pieces of High Risk Evidence/Property”. The corresponding “Required Sample Size” should be applied when conducting the respective audit. If the exact number for “Pieces of High Risk Evidence/Property” is not listed, the next higher number should be used.

If an error rate of more than 4 percent is discovered when conducting the audit, a complete inventory of the high risk property must be performed. However, agencies should consider a complete inventory when other factors suggest it is necessary.

Pieces of High Risk Evidence/Property	Required Sample Size
100	92
250	203
500	341
1000	516
1500	624
2000	696
2500	748
3000	787
3500	818
4000	843
4500	863
5000	880
5500	894
6000	906
6500	917
7000	926
7500	934
8000	942
8500	948
9000	959
10000	964
15000	996
20000	1013
25000	1023
50000	1045
100000	1056



**Change Notice No. 2.7**  
**Recognition Standards for Law Enforcement Agencies Amendments**  
**Enacted by the Commission on December 31, 2009**

***Background***

This is the seventh change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notices 2.1, 2.2, 2.3, 2.4, 2.5 and 2.6 were previously made available to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 2.1 bear the dates July 2006 and November 2006, Change Notice 2.2 bear the dates July 2007, November 2007, and March 2008, Change Notice 2.3 bear the date July 2008, Change Notice 2.4 bear the date December 2008, Change Notice 2.5 bear the date March 2009 and Change Notice 2.6 bear the date July 2009.

***Standards Amendments and Other Revisions Accompanying This Change Notice***

***Table of Contents:*** vii – Title Change.

***Standard 16.3.2:*** Standard and Commentary language change.

***Appendix E: LIST OF TIME SENSITIVE ACTIVITIES:*** E-1 & E-4 - Added Standard 1.1.2.

***Appendix H: STANDARD TITLES***

H-1 – Title Change for 1.3.1.

***Where to Insert This Notice and Accompanying Pages***

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old, correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.



## **Change Notice 2.1 (January 2007)**

Standard 22.2.7: Standard and Commentary language were changed.  
Standard 71.3.3: Changed language for bullet a and added commentary language.  
Chapter 72 Introduction: Language change.  
APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.  
APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

## **Change Notice 2.2 (March 2008)**

Standard 16.3.3: Addition of Commission Interpretation.  
Standard 25.1.3: Language and Levels of Compliance changes.  
Standard 35.1.2: Language change.  
Standard 42.2.8: Language change.  
Chapter 45 Introduction: Language change.  
Standard 46.3.4: Language change.  
Standard 52.1.5: Levels of Compliance change.  
Chapter 71 Introduction: Language change.  
Standard 71.3.3: Language change.  
Standard 71.4.1: Language change.  
Standard 71.4.2: Language change.  
Standard 71.4.3: Language change.  
Subsection 71.5 Processing and Testing: New.  
Standard 71.5.1: New.  
Standard 81.2.10: Language change.  
Standard 81.2.14: Moved to Standard 82.2.5.  
Standard 81.2.15: Renumbered to Standard 81.2.14.  
Standard 84.1.6: Commentary Language change.  
APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.  
Language change to Temporary Detention.  
APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

## **Change Notice 2.3 (July 2008)**

Table of Contents: New Standards.  
Standard 33.5.4: Language change.  
Chapter 42 Introduction: Added paragraph 3.  
Standard 42.1.6: Revised.  
Standard 71.1.1: New Standard.  
Standard 71.5.1: New Standard.  
Appendix H: STANDARD TITLES  
H-10 – 46.3.4 changed to Hazemat Awareness.  
H-16 – 81.2.14 moved to 82.2.5 (H-17).  
H-16 – 81.2.15 changed to 81.2.14.

## **Change Notice 2.4 (December 2008)**

Standard 1.3.6: Commentary language change.

Standard 1.3.9: Commentary language change.

Appendix A: GLOSSARY – Added new terms:

PHOTOGRAPHIC LINEUP

PHYSICAL LINEUP

SHOW-UP

Appendix H: STANDARD TITLES

H-9 – Added 42.2.11 and 42.2.12.

Index

Index-4 – Added Eyewitness identification

Index-6 – Added Line-up

Index 8 – Show-up

## **Change Notice 2.5 (March 2009)**

Standard 1.3.1: Standard language change.

Standard 1.3.9: Standard language change.

Chapter 2 Introduction: Language change

Standard 2.1.3: Standard and Commentary language change.

Standard 22.3.3: New.

Standard 22.3.4: Renumbered from 22.3.3.

Standard 22.3.5: Renumbered from 22.3.4.

Chapter 46 Introduction: Language change

Standard 46.1.2: Standard language change.

Standard 46.1.9: Commentary language change.

Standard 83.2.2: Standard language change.

Appendix H: STANDARD TITLES

H-4 – Added 22.3.3

H-5 – Changed 22.3.3 to 22.3.4

H-5 – Changed 22.3.4 to 22.3.5

## **Change Notice 2.6 (July 2009)**

Standard 83.2.7: Commentary language change.

Standard 84.1.6: Standard and Commentary language change.

Appendix A: GLOSSARY – Revised and added new terms.

AUDIT

INVENTORY

PROPERTY AND EVIDENCE CUSTODIAN

Appendix I: SAMPLE SIZE TABLE – EVIDENCE CUSTODIAN CHANGE AUDIT – New.

The following correction to a typographical error in the publication is also made as part of this change notice:

ACKNOWLEDGEMENT



# CONTENTS

(Standards from the Standards Manual of the Law Enforcement Agency Accreditation Program that are specific to the Recognition Program are highlighted in gray.)

INTRODUCTION		xv
<b>CHAPTERS 1-3</b>	<b>LAW ENFORCEMENT ROLE, RESPONSIBILITIES, AND RELATIONSHIPS</b>	
<b>CHAPTER 1</b>	<b>LAW ENFORCEMENT ROLE AND AUTHORITY</b>	
1.1	Law Enforcement Agency Role	1-2
1.1.1	Oath of Office	1-2
1.1.2	Code of Ethics	1-2
1.2	Limits of Authority	1-3
1.2.3	Constitutional Requirements	1-4
1.2.4	Search & Seizure	1-4
1.2.5	Arrest Procedures	1-5
1.2.8	Strip Searches	1-5
1.2.9	Bias Based Profiling	1-6
1.3	Use of Force	1-6
1.3.1	Use of Reasonable Force	1-6
1.3.2	Deadly Force	1-6
1.3.3	Warning Shots	1-7
1.3.4	Less Lethal Weapons	1-7
1.3.5	Medical Aid	1-7
1.3.6	Written Report Required	1-7
1.3.7	Administrative Review	1-8
1.3.8	Removal from Duty	1-8
1.3.9	Weapons/Ammo Authorization	1-9
1.3.10	Proficiency Demonstration	1-9
1.3.11	Annual Training/Qualification	1-10
<b>CHAPTER 2</b>	<b>AGENCY JURISDICTION AND MUTUAL AID</b>	
2.1	Agency Jurisdiction and Mutual Aid	2-1
<b>CHAPTER 3</b>	<b>CONTRACTUAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES</b>	
3.1	Contractual Agreements	3-1
<b>CHAPTERS 11-17</b>	<b>ORGANIZATION, MANAGEMENT, AND ADMINISTRATION</b>	
<b>CHAPTER 11</b>	<b>ORGANIZATION AND ADMINISTRATION</b>	
11.1	Organizational Structure	11-1
11.1.1	Description of Organization	11-1

	11.2	Unity of Command	11-2
	11.3	Authority and Responsibility	11-2
	11.4	General Management and Administration	11-2
CHAPTER 12		DIRECTION	
	12.1	Direction	12-1
		12.1.2 Command Protocol	12-1
	12.2	Written Directives	12-2
		12.2.1 Written Directive System	12-2
CHAPTER 13		[Reserved]	
CHAPTER 14		[Reserved]	
CHAPTER 15		PLANNING AND RESEARCH, GOALS AND OBJECTIVES, AND CRIME ANALYSIS	
	15.1	Planning and Research	15-1
	15.2	Goals and Objectives	15-2
	15.3	Crime Analysis	15-2
CHAPTER 16		ALLOCATION AND DISTRIBUTION OF PERSONNEL AND PERSONNEL ALTERNATIVES	
	16.1	Allocation and Distribution of Personnel	16-2
	16.2	Specialized Assignments	16-3
	16.3	Reserves	16-4
		16.3.1 Program Description	16-4
		16.3.2 Reserve Selection	16-4
		16.3.3 Reserve Entry Training	16-5
		16.3.5 Reserve In-Service Training	16-5
		16.3.6 Reserve Force Training/Qualification	16-5
	16.4	Auxiliaries	16-6
		16.4.2 Auxiliary Training	16-6
CHAPTER 17		FISCAL MANAGEMENT AND AGENCY PROPERTY	
	17.1	Fiscal Management	17-2
	17.2	Budget	17-2
	17.3	Purchasing	17-2
	17.4	Accounting	17-3
		17.4.2 Cash Accounts	17-3
	17.5	Agency Property	17-4
		17.5.3 Stored Property and Operational Readiness	17-4

improving the agency efficiency and effectiveness. The agency's system for determining the appropriate proportional distribution should take into account incidents, locations, variations in workload, and deployment strategies. The workload assessment system should be documented and include an outline of the calculations required, plus any source documents, personnel, and/or equipment necessary to accomplish the task. There is no single assessment system that is suited for every agency's needs. Using reliable data and reasonable calculations, the agency should reach valid conclusions about workload within each component of the agency. Periodic assessments of all components of the agency should help support increased agency performance and service delivery with available resources. The assessments may also help identify unusual workload demands that can be addressed through new management strategies. (N/A O M M)

## 16.2 Specialized Assignment

**16.2.1** *A written directive requires an annual documented review of each specialized assignment for the purpose of determining whether it should be continued. This review shall include:*

- a. *a listing of the agency's specialized assignments;*
- b. *a statement of purpose for each listed assignment; and*
- c. *the evaluation of the initial problem or condition that required the implementation of the specialized assignment.*

**Commentary:** Decisions regarding the continuation of specialized assignments are important to the agency. The agency is given wide latitude in identifying specialized assignments, but should consider standard 16.2.2 and determine which assignments might be better served with agencywide competition and selection criteria. The development of an annual formalized review of all specialized assignments should help avoid overspecialization and ensure the continued effective control of agency specialization. (N/A O O O)

**16.2.2** *The agency announces anticipated openings for specialized assignments agencywide and fills those positions through a selection process.*

**Commentary:** Advertising agencywide for specialized assignment openings provides a large base of candidates and gives employees a greater choice of career opportunities. It also minimizes the feeling that selection is based on favoritism. However, for security reasons, it is not necessary for the agency to announce, in writing, openings for undercover or similar assignments.

The agencywide announcement should describe the selection criteria for the position(s) to be filled. The criteria should be based on the skills, knowledge, and abilities required for the specialized assignment, including formal education, experience, any specialized skills, and length of experience required.

The agency should fill vacant specialized assignments through a selection process. The process may be informal but should consider all responses to the announcement and follow the criteria established.

(N/A O O O)

**16.2.3** *If the agency allows temporary or rotating assignment of sworn personnel, a written directive describing the agency procedure, will include:*

- a. *identification of the positions which are available for temporary or rotational assignment;*
- b. *the duration of assignments;*
- c. *the criteria for selection of personnel; and*
- d. *description of the selection procedures.*

**Commentary:** Through temporary assignments and job rotation, the employee may be afforded an opportunity for individual growth as well as improved job satisfaction and performance. As employees acquire additional skills, knowledge, and abilities, the agency benefits from an expanded pool of employees prepared to assume the responsibilities of a number of positions. (O O O O)

## 16.3 Reserves

### 16.3.1 *A written directive establishes and describes the agency's reserve officer program.*

**Commentary:** Terminology describing reserve officers can vary from jurisdiction to jurisdiction and for the purpose of this manual, the glossary term will be used. Reserve officers generally assist full-time sworn personnel in the day-to-day delivery of law enforcement services and for emergencies, consistent with applicable law. To accomplish these tasks, they may require law enforcement powers equivalent to those of full-time officers. The directive should describe the duties and responsibilities of reserve officers, define their authority and discretion in carrying out their duties, including any limitations or restrictions to this authority, and delineate the amount of supervision they are to receive. (M M M M)

**Commission Interpretation (November 16, 2001)**— The Commission acknowledges that some agencies utilize reserve officers who do not meet the definition of an “employee.” For example, some agencies utilize volunteer reserve officers and the absence of wages or salary exclude them from the definition. For the purpose of this Standards Manual all reserve officers shall be considered “employees” when applying standards dealing with performance evaluations. Procedures and forms used for evaluating the performance of the agency’s reserve officers may be the same as those used for full-time sworn officers or they may differ significantly, based on distinctions made in the role, scope of authority, or responsibilities of the reserve officer.

### 16.3.2 *Excluding the educational requirements for reserve officers, the selection criteria for reserves are the same as that for full-time officers.*

**Commentary:** Experience, physical condition, and other selection criteria applicable to full-time officers apply equally to reserves. The process of selection may be different from that of full-time officers, but the criteria are the same, with the exception of educational requirements which are addressed in 16.3.9. (M M M M)

**16.3.3** *The agency requires all sworn reserve officers to complete a recruit academy training program comparable to that required in standard 33.4.1, prior to any routine assignment in any capacity in which the reserve officer is allowed to carry a weapon or is in a position to make an arrest, except as part of a formal field training program required in standard 33.4.3. If the agency restricts or prohibits reserves from performing specific functions, topics related to those functions may be omitted from the curriculum.*

**Commentary:** The intent of this standard is to ensure that reserve officers receive training equal to that required of full-time officers in those areas of assigned duties and responsibilities. The training should be the same as that received by full-time officers or an equivalent, parallel course that meets the requirements of standard 33.4.1. The subject matter in the training program should cover topics related to assigned duties and responsibilities to the same extent that full-time officers are trained to perform like functions. Training hours and schedule may vary to accommodate the reserve schedule and the course duration may be extended.

If a comparable recruit-training program for reserves exists in the state, successful completion of this program may fulfill the requirements of this standard. (M M M M)

**Commission Interpretation (March 14, 2008)**—If the reserve officer state certification training does not include critical task training identified by CALEA for the responsibilities performed by the reserve officer, such training must be delivered. Those critical tasks include: Community Interaction; Introduction to Basic Law; Post Crime Considerations; Introduction to Traffic; Field Activities; Use of Force; First Aid for Criminal Justice Officers; Law Enforcement Vehicle Operations; and Personnel. Further information regarding critical tasks may be found on the CALEA website.

**16.3.4** *Uniforms and equipment for reserve officers are the same as those for full-time officers performing like functions.*

**Commentary:** Equipment and uniforms for reserve officers, except for insignia, patches, or badges, should not be distinguishable from those of full-time officers. However, quantity of uniforms and equipment may be reduced to reflect the level of activity of reserve officers. The purchase of equipment/uniforms may be the responsibility of the reserve officer. (O O O O)

**16.3.5** *Reserve officers receive in-service training equivalent to that statutorily required for full-time officers performing like functions.*

**Commentary:** None. (M M M M)

**16.3.6** *Reserve officers are trained in use of force policy(s) and tested for weapons proficiency with the same frequency as full-time officers in accordance with standard 1.3.11.*

**Commentary:** Reserve officers' schedules may not permit participation in regularly scheduled weapons training. They should qualify either as a part of the regularly scheduled program or in a special reserve qualifications program. Qualifying standards and scores for reserve officers should be identical to those for regular officers. (M M M M)

**16.3.7** *Reserve officers are bonded and/or provided with public liability protection equal to that provided to full-time officers.*

**Commentary:** The protection attached to the functions of full-time officers should be provided to reserve officers. (M M M M)



**16.3.8** *A written directive requires performance evaluations for reserve officers be conducted in accordance with the standards in Chapter 35 (Performance Evaluation).*

**Commentary:** None. (M M M M)

**16.3.9** *Reserve officers possess high school equivalency diplomas and meet all state educational requirements at the time of sworn appointment.*

**Commentary:** Education is an important attribute for both full-time officers and reserve officers. Careful consideration should be given to the function and responsibilities of reserve officers before establishing educational criteria that differ from that of full-time officers. (M M M M)

## **16.4 Auxiliaries**

**16.4.1** *A written directive establishes and describes the agency's auxiliary program, to include:*

- a. a statement that auxiliaries are not sworn officers; and*
- b. a description of the duties of auxiliaries, including their role and scope of authority.*

**Commentary:** Auxiliaries are not commissioned as law enforcement officers and do not have the authority to make a full custody arrest. Auxiliaries may be assigned to law enforcement related community service functions. They can also be used as a resource in emergencies and large-scale special events. Generally, they receive significantly less training than sworn officers or full-time employees. However if the agency chooses to involve them in various activities to assist in the day-to-day delivery of law enforcement services, it should ensure that their duties do not require the status of a sworn officer, their level of training is adjusted according to the scope of their authority, and that unauthorized weapons or equipment are not carried in the performance of their duties. (M M M M)

**16.4.2** *Auxiliaries receive training in those authorized and assigned duties.*

**Commentary:** Auxiliaries may provide services to support any law enforcement duties not requiring sworn officer status. However, if the agency chooses to use them, auxiliaries should receive training appropriate to the duties anticipated. (M M M M)

**16.4.3** *If auxiliaries wear uniforms, the uniforms clearly distinguish them from sworn officers.*

**Commentary:** To have an auxiliary appear to be a regularly sworn officer can be hazardous to the auxiliary, confusing to the public, and a potential detriment to the image of the agency. Unless the auxiliary is clearly distinguishable from the sworn officer, members of the community may expect assistance in situations for which the auxiliary is not trained or empowered to act. Purchase of the uniform may be the responsibility of the auxiliary. (M M M M) **Compliance may be OBSERVED.**

## 22.3 Conditions of Work

**22.3.1** *A written directive describes the agency's policy regarding physical examinations for employees. Any examination required of employees in permanent, full-time jobs must be provided at no cost to the employee.*

**Commentary:** A physical examination is a benefit to both the employee and the agency. Any physical examination should be conducted only to confirm the employees' continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.

The nature of some specific positions or responsibilities may necessitate periodic specific health screenings, such as those for crime scene personnel, firearms instructors, or range technicians who are repeatedly exposed to hazardous chemicals or lead contaminants. (M M M M)

**22.3.2** *A written directive describes the agency's policy regarding general health and physical fitness to perform job tasks identified for sworn employees.*

**Commentary:** The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations, and fitness requirements should be specified. Standards of fitness should be those that have been shown to be directly related to the tasks performed, and not serve to eliminate or penalize employees who can otherwise perform the tasks of their assignment, with or without reasonable accommodation. (M M M M)

**22.3.3** *The agency has a written directive that addresses a fitness and wellness program which includes:*

- a.. mandatory or voluntary participation by agency personnel;*
- b. a trained program coordinator;*
- c. individual health screening and fitness assessment;*
- d. individual education and goal setting; and*
- e. ongoing support and evaluation.*

**Commentary:** A fitness and wellness program has two main elements. The first is physical performance, i.e., the development and maintenance of physical performance capability to satisfactorily perform job tasks and personal activities. The second is the individual's present health status as well as the risk for future disease. This is impacted greatly by lifestyle choices, including smoking, nutrition, weight, stress management, inactivity, etc. The agency should also consider incentives to encourage employee participation. (O O O O)

**22.3.4** *A written directive governs the types of off-duty employment in which agency personnel may engage.*

**Commentary:** This standard applies to both sworn and non-sworn personnel. It pertains to secondary employment of the off-duty type—that is, outside employment wherein the use of law enforcement powers is not anticipated. Agencies may want to consider expressing the prohibition of certain types of off-duty employment in general terms, such as proscribing off-duty employment that, in the opinion of the agency, would constitute a conflict of interest or would tend to bring discredit to the agency. The prohibition could be quite specific, such as by focusing on specific jobs or locations. (O O O O)

**22.3.5** *If the agency permits sworn personnel to engage in extra-duty employment, a written directive addresses the following:*

- a. the requirement that sworn personnel must receive agency permission to engage in extra duty employment;*
- b. policies that address the behavior and activities of officers during extra-duty employment;*
- c. approval, review, and revocation processes pertaining to officers' extra-duty employment;*
- d. designation of a point of coordination or administration within the agency to oversee adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency; and*
- e. documentation of the significant aspects of each officer's extra-duty employment.*

**Commentary:** This standard pertains to sworn personnel whose secondary employment is of the extra-duty type, that is, outside employment wherein the actual or potential use of law enforcement powers is anticipated.

Bullet (a) requires sworn officers to obtain permission of the agency to engage in extra-duty employment. In addition, the relationship between the extra-duty employer and the officer-employee may be governed by a written agreement between the agency and extra-duty employer. Among other provisions, an agreement might specify that payment by the extra-duty employer for the officer-employee's services shall be remitted to the agency, which will promptly compensate the extra-duty officer.

Regarding policies referred to in bullet (b), the agency might address the following matters, among others, if not already covered by the agreement: authority of officers while working in an extra-duty capacity; responsibilities of the officers to the agency and to extra-duty employers; matters of jurisdiction; callback, if required; limitations, if any, on the number of hours worked per given time period and on the number of hours worked immediately prior to reporting to the agency; use of agency property (weapons, uniforms, and the like); and liability, compensation, and indemnification issues arising from injuries or other incidents occurring during extra-duty employment.

Regarding the approval, review, and revocation processes noted in bullet (c), the agency's written directive should cover a description of those processes, types of extra-duty employment that are prohibited, and agreement by the extra-duty employer to restrictions, if any, on the types and conditions of employment, including an assessment of the potential risk of injury.

With respect to bullet (e), documentation should reflect the unique needs of the agency, the relevant sections of its collective bargaining agreement, if any, as well as pertinent statutory requirements, e.g., the federal Fair Labor Standards Act. Among the significant aspects of extra-duty employment to document, the agency should consider the following: date, time, and place of employment; incidents that

**42.2.8** *The agency has a written directive concerning identity crime and procedures for:*

- a. taking identity crime reports;*
- b. specialized report forms, if any;*
- c. providing information and assistance to identity crime victims;*
- d. coordination of investigations with other agencies; and*
- e. providing public information on prevention of identity crime.*

**Commentary:** Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect an individual for years. Identity crime has been directly linked to terrorist activities in both funding operations and obtaining documents for illegal purposes.

The initial agency report information may require the use of a special form designed to obtain information unique to this crime. Information from government agencies is readily available to assist a victim in providing notices of identity theft, re-establishing their identity and credit, and for public awareness presentations. (O O O O)

**42.2.9** *A written directive describes the procedures for the investigation of cold case files, which includes:*

- a. defining a cold case;*
- b. establishing cold case evaluation criteria; and*
- c. recording agency investigative actions or activities.*

**Commentary:** Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. With recent advances in DNA (deoxyribonucleic acid) analysis, law enforcement has made a great advancement in its ability to identify unknown offenders, even years after the crime occurred.

Law enforcement agencies should have a procedure where unsolved/cold cases are reviewed for new information or where the application of new technology may be successful in solving the cases. This is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts. (O O O O)

**42.2.10** *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:*

- a. weapons control;*
- b. security concerns;*
- c. number of personnel allowed in the interview room;*
- d. means and methods for summoning assistance, if needed;*
- e. equipment or items to be kept in the interview room or area; and*
- f. access to restrooms, water, or comfort breaks.*

**Commentary:** For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. (M M M M)

**42.2.11** *In the absence of controlling authority, a written directive describes the procedures for using photographic or physical line-ups in eyewitness identification to include the following:*

- a. *composition of line-up;*
- b. *using video and/or audio recording;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing line-up;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting line-up and the results.*

**Commentary:** The intent of this standard is to establish reliable identification testimony by a witness. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations. (M M M M)

**42.2.12** *In the absence of controlling authority, a written directive describes the procedures for using show-ups in eyewitness identification to include the following:*

- a. *compelling reasons under which a show-up may occur;*
- b. *manner of transportation to the show-up;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing show-up;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting show-up and the results.*

**Commentary:** The intent of this standard is to establish reliable identification testimony by a witness. It should be noted that a show-up carries with it a dangerous degree of improper suggestiveness and should not be used absent compelling reasons for not using a physical or photographic line-up. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations.

**(M M M M)**



**45.1.2** *The agency assists in organizing crime prevention groups in residential and business areas targeted for such activity in standard 45.1.1 and maintains liaison with these and other interested community groups.*

**Commentary:** None. (O O O O)

**45.1.3** *The agency provides crime prevention input into development and/or revision of zoning policies, building codes, fire codes, and residential/commercial building permits.*

**Commentary:** The agency should become proactively involved in this process as an integral element in ensuring that crime prevention concerns, from the law enforcement perspective, are addressed prior to legal enactment or construction. Programs such as Crime Free Multi-Housing (CFMH) and Crime Prevention Through Environmental Design (CPTED) are valuable resources that can aid in the development of partnerships to reduce the opportunity for criminal activity to occur. (O O O O)

## **45.2 Community Involvement**

**45.2.1** *The community involvement function provides the following, at a minimum:*

- a. establishing liaison with existing community organizations or establishing community groups where they are needed;*
- b. assisting in the development of community involvement policies for the agency;*
- c. publicizing agency objectives, community problems, and successes;*
- d. conveying information transmitted from citizens' organizations to the agency;*
- e. improving agency practices bearing on police community interaction; and*
- f. developing problem oriented or community policing strategies, if any.*

**Commentary:** Law enforcement agencies should establish direct contacts with the community served. Without "grass roots" community support, successful enforcement of many laws may be difficult, if not impossible. Community involvement can be an effective means of eliciting public support, can serve to identify problems in the making, and may foster cooperative efforts in resolving community issues. Input from the community can also help ensure that agency policies accurately reflect the needs of the community.

The intent of this standard is to establish agency accountability for the community involvement function in writing. The function should be developed and operated to effectively meet the needs of the agency, as well as the community it serves. Placement of the function within the organizational structure is also addressed by standard 11.1.1. Proving compliance with this standard may be accomplished through a series of documents or a single, all-inclusive directive.

Because the conduct of each employee reflects on the agency as a whole, the burden of achieving the agency's community relations objectives should be shared. A unified, coordinated effort should require the participation, enthusiasm, and skills of all agency personnel. (O O O O)



**45.2.2** *At least quarterly, the person or persons responsible for the community involvement function prepares and submits to the chief executive officer a report that includes, at a minimum, the following elements:*

- a. a description of current concerns voiced by the community;*
- b. a description of potential problems that have a bearing on law enforcement activities within the community;*
- c. a statement of recommended actions that address previously identified concerns and problems; and*
- d. a statement of progress made toward addressing previously identified concerns and problems.*

**Commentary:** These concerns and problems should, at a minimum, be communicated to the chief executive officer, both to provide information on conditions in the community and to allow the chief executive officer to react in a timely manner to alleviate concerns and avert problems. Ideally, these reports should also be disseminated to other concerned command level personnel. (N/A O O O)

**45.2.3** *A written directive establishes procedures for transmitting relevant information received by any agency member to the person responsible for preparing the report found in standard 45.2.2.*

**Commentary:** The purpose of the standard is to insure that there is an evaluative loop in the community involvement/community-policing actions of the agency. Compliance with the standard reduces the likelihood of misinterpretation by the person preparing the quarterly report and insures that information being gathered by agency personnel is incorporated into the decision-making processes. (N/A O O O)

**45.2.4** *A documented survey of citizen attitudes and opinions is conducted at least once every three years with respect to:*

- a. overall agency performance;*
- b. overall competence of agency employees;*
- c. citizens' perception of officers' attitudes and behavior;*
- d. community concern over safety and security within the agency's service area; and*
- e. citizens' recommendations and suggestions for improvements.*

**Commentary:** Surveys are useful for several purposes; however, the survey should be used as a platform for organizational learning, asking specific questions about the quality of policing in the community. It should also address a broad section of the community: victims and others who have had recent contact with the police, employees, and/or direct observation.

The survey may be conducted by mail, in person, electronically, or by telephone and may be combined with questions relating to victimization and other issues. The results of the survey may be provided to the community. The survey may be carried out directly by agency personnel or by others with agency guidance. (O O O O)

# APPENDIX E

## LIST OF TIME SENSITIVE ACTIVITIES

The list of time sensitive activities is an aide to facilitate agencies in complying with standards that require reports on a time period basis. This list is based on time requirements stated in the standards. Agencies are cautioned that this list should be considered only as a guide. Depending on conditions, a number of standards require the agency to periodically review, modify, or take some action.

This list is presented in two formats, by standard order, and by time period.

### TIME SENSITIVE ACTIVITIES BY STANDARD ORDER

STAND.	ACTION	DESCRIPTION	LEVEL	FREQUENCY
1.1.2	Activity	Ethics Training	M M M M	Biennial
1.2.9 (d)	Review	Bias Based Profiling	M M M M	Annual
1.3.6	Report	Use of force occurrence	M M M M	Incident
1.3.7	Review	Use of force reports required in standard 1.3.6	M M M M	Incident
1.3.11	Report	Use of force policies, lethal and electronic controlled weapons proficiency	M M M M	Annual
1.3.11	Report	Use of force policies & less lethal weapons proficiency	M M M M	Biennial
17.4.2 (f)	Report	Cash funds	M M M M	Quarterly
33.5.1	Activity	Legal update training	M M M M	Annual
35.1.2	Report	Employee performance evaluation	M M M M	Annual
41.2.2 (i)	Review	Pursuit report	M M M M	Incident
41.2.2 (j)	Analysis	Pursuit report	M M M M	Annual
41.2.3 (e)	Review	Use of roadblocks and forcible stops	M M M M	Incident
41.2.7 (e)	Report	Training on dealing with the mentally ill	M M M M	Triennial
46.1.3 (h)	Report	After action report for critical incidents	M M M M	Incident
71.2.1	Activity	Temporary detention training	M M M M	Triennial

71.4.3	Review	Temporary detention procedures	M M M M	Triennial
81.3.2	Inspection	Alternate source of power	M M M M	Monthly
81.3.2	Test	Alternate source of power, test under full load	M M M M	Annual
82.1.6(d)	Audit	Central records computer system	M M M M	Annual
84.1.6(a)	Inspection	Property control procedures by evidence/ property custodian	M M M M	Semi-annual
84.1.6(b)	Inventory	Change in property/evidence custodian	M M M M	Incident
84.1.6(c)	Audit	By supervisor not directly connected to function	M M M M	Annual
84.1.6(d)	Inspection	Unannounced inspections as directed by CEO	M M M M	Annual

### **TIME SENSITIVE ACTIVITIES BY TIME PERIOD**

41.2.7(e)	Report	Training on dealing with the mentally ill	M M M M	Triennial
71.2.1	Activity	Temporary detention training	M M M M	Triennial
71.4.3	Review	Temporary detention procedures	M M M M	Triennial
84.1.6(d)	Inspection	Unannounced inspections as directed by CEO	M M M M	Annual
1.1.2	Activity	Ethics Training	M M M M	Biennial
1.3.11	Report	Use of force policies & less lethal weapons proficiency	M M M M	Biennial
1.2.9(d)	Review	Bias Based Profiling	M M M M	Annual
1.3.11	Report	Use of force policies, lethal and electronic controlled weapons proficiency	M M M M	Annual
33.5.1	Activity	Legal update training	M M M M	Annual
35.1.2	Report	Employee performance evaluation	M M M M	Annual
41.2.2(j)	Analysis	Pursuit report	M M M M	Annual
81.3.2	Test	Alternate source of power, test under full load	M M M M	Annual
82.1.6(d)	Audit	Central records computer system	M M M M	Annual
84.1.6(c)	Audit	By supervisor not directly connected to function	M M M M	Annual
84.1.6(a)	Inspection	Property control procedures by evidence/ property custodian	M M M M	Semi-annual

17.4.2 (f)	Report	Cash funds	M M M M	Quarterly
81.3.2	Inspection	Alternate source of power	M M M M	Monthly
1.3.6	Report	Use of force occurrence	M M M M	Incident
1.3.7	Review	Use of force reports required in standard 1.3.6	M M M M	Incident
41.2.2 (i)	Review	Pursuit report	M M M M	Incident
41.2.3 (e)	Review	Use of roadblocks and forcible stops	M M M M	Incident
46.1.3 (h)	Report	After action report for critical incidents	M M M M	Incident
84.1.6 (b)	Inventory	Change in property/evidence custodian	M M M M	Incident



# APPENDIX H

## STANDARD TITLES

### **1.0 Law Enforcement Role and Authority**

#### 1.1 Law Enforcement Agency Role

1.1.1 Oath of Office

1.1.2 Code of Ethics

1.1.3 Agency's Role in Criminal Justice Diversion Programs

1.1.4 Consular Notification

#### 1.2 Limits of Authority

1.2.1 Legal Authority Defined

1.2.2 Legal Authority to Carry/Use Weapons

1.2.3 Compliance with Constitutional Requirements

1.2.4 Search and Seizure

1.2.5 Arrest with/without Warrant

1.2.6 Alternatives to Arrest

1.2.7 Use of Discretion

1.2.8 Strip/Body Cavity Search

1.2.9 Bias Based Profiling

#### 1.3 Use of Force

1.3.1 Use of Reasonable Force

1.3.2 Use of Deadly Force

1.3.3 Warning Shots

1.3.4 Use of Authorized Less Lethal Weapons

1.3.5 Rendering Aid After Use of Weapons

1.3.6 Reporting Uses of Force

1.3.7 Reviewing Reports of 1.3.6

1.3.8 Removal from Line of Duty Assignment, Use of Force

1.3.9 Authorization: Weapons and Ammunition

1.3.10 Demonstrating Proficiency with Weapons

1.3.11 Annual/Biennial Proficiency Training

1.3.12 Issuing Written Directives

1.3.13 Analyze Reports from 1.3.6

### **2.0 Agency Jurisdiction and Mutual Aid**

#### 2.1 Agency Jurisdiction and Mutual Aid

- 2.1.1 Geographical Boundaries
- 2.1.2 Concurrent Jurisdiction
- 2.1.3 Written Agreements for Mutual Aid
- 2.1.4 Requesting Assistance: Federal LE/National Guard

### **3.0 Contractual Agreements for Law Enforcement Services**

- 3.1 Contractual Agreements
  - 3.1.1 Written Agreement for Services Provided
  - 3.1.2 Employee Rights

### **11.0 Organization and Administration**

- 11.1 Organizational Structure
  - 11.1.1 Description of Organization
  - 11.1.2 Organizational Chart
- 11.2 Unity of Command
  - 11.2.1 Employee Accountability
  - 11.2.2 Direct Command, Component
- 11.3 Authority and Responsibility
  - 11.3.1 Responsibility/Authority
  - 11.3.2 Supervisory Accountability
- 11.4 General Management and Administration
  - 11.4.1 Administrative Reporting Program
  - 11.4.2 Accountability for Agency Forms
  - 11.4.3 Accreditation Maintenance
  - 11.4.4 Computer Software Policy
  - 11.4.5 Notify CEO of Incident with Liability

### **12.0 Direction**

- 12.1 Direction
  - 12.1.1 CEO Authority and Responsibility
  - 12.1.2 Command Protocol
  - 12.1.3 Obey Lawful Orders
  - 12.1.4 Functional Communication/Cooperation
- 12.2 Written Directives
  - 12.2.1 The Written Directive System
  - 12.2.2 Dissemination and Storage

## **15.0 Planning and Research, Goals and Objectives, and Crime Analysis**

- 15.1 Planning and Research
  - 15.1.1 Activities of Planning and Research
  - 15.1.2 Organizational Placement/Planning and Research
  - 15.1.3 Multiyear Plan
- 15.2 Goals and Objectives
  - 15.2.1 Annual Updating/Goals and Objectives
  - 15.2.2 System for Evaluation/Goals and Objectives
- 15.3 Crime Analysis
  - 15.3.1 Establish Procedures

## **16.0 Allocation and Distribution of Personnel and Personnel Alternatives**

- 16.1 Allocation and Distribution of Personnel
  - 16.1.1 Position Management System
  - 16.1.2 Workload Assessments
- 16.2 Specialized Assignment
  - 16.2.1 Annual Review
  - 16.2.2 Announce Openings
  - 16.2.3 Temporary/Rotating Assignments
- 16.3 Reserves
  - 16.3.1 Program Description
  - 16.3.2 Selection Criteria
  - 16.3.3 Entry Level Training
  - 16.3.4 Uniforms and Equipment
  - 16.3.5 In-Service Training
  - 16.3.6 Use of Force Training & Firearms Proficiency
  - 16.3.7 Bonding/Liability Protection
  - 16.3.8 Performance Evaluations
  - 16.3.9 Educational Requirements
- 16.4 Auxiliaries
  - 16.4.1 Program Description
  - 16.4.2 Training
  - 16.4.3 Uniforms

## **17.0 Fiscal Management and Agency Property**

- 17.1 Fiscal Management
  - 17.1.1 CEO Authority and Responsibility



- 17.2 Budget
  - 17.2.1 Budget Process and Responsibility Described
  - 17.2.2 Functional Recommendations to Budget
- 17.3 Purchasing
  - 17.3.1 Requisition and Purchasing Procedures
- 17.4 Accounting
  - 17.4.1 Accounting System
  - 17.4.2 Cash Fund/Accounts Maintenance
  - 17.4.3 Independent Audit
- 17.5 Agency Property
  - 17.5.1 Inventory and Control
  - 17.5.2 Issue/Reissue Procedures
  - 17.5.3 Operational Readiness

**21.0 Classification and Delineation of Duties and Responsibilities**

- 21.1 Task Analysis
  - 21.1.1 Task Analysis
- 21.2 Classification
  - 21.2.1 Classification Plan
  - 21.2.2 Job Description Maintenance and Availability

**22.0 Compensation, Benefits, and Conditions of Work**

- 22.1 Compensation
  - 22.1.1 Salary Program
- 22.2 Benefits
  - 22.2.1 Leave Program
  - 22.2.2 Benefits Program
  - 22.2.3 Personnel Support Services Program
  - 22.2.4 Victim Witness Services/Line of Duty Death
  - 22.2.5 Clothing and Equipment
  - 22.2.6 Employee Assistance Program
  - 22.2.7 Employee Identification
- 22.3 Conditions of Work
  - 22.3.1 Physical Examinations
  - 22.3.2 General Health and Physical Fitness
  - 22.3.3 Fitness and Wellness Program

# INDEX

- Abandoned vehicles 61.4.2, 61.4.3
- Academy 33.2
  - administration 33.2.1
  - facilities 33.2.2
  - outside 33.2.3
  - reserves 16.3.3
- Accident reporting 61.2.1
- Accountability 11.2.1, 11.3.1, 11.4.2
- Accounting 17.4
  - audit 17.4.3
  - cash funds 17.4.2
  - system 17.4.1
- Accreditation process
  - familiarization 33.5.3
  - training 33.5.4
- Acquired property
  - civil process 84.1.8
  - disposition 72.5.2, 84.1.7
  - inspections 84.1.6
  - receiving 84.1.1
  - records 84.1.5
  - storage 84.1.2, 84.1.3
- Administrative leave 22.2.1
- Administrative reports 11.4.1
- Administrative review 1.2.9, 1.3.7, 1.3.8, 41.2.2, 41.2.3, 71.4.3
- After action report 46.1.3
- Aircraft 41.1.3
- Alarm
  - Communications 81.2.4
  - courts 73.2.1, 73.4.1, 73.4.3, 73.5.9, 73.5.13, 73.5.19
  - holding facility 72.3.1, 72.4.2, 72.4.9
  - private 81.2.13
  - temporary detention 71.3.3
- Alcohol and narcotics
  - criminal **43**
  - detainee 72.5.4
  - employee use 26.1.1
  - traffic 61.1.5, 61.1.10, 61.1.11, 61.2.1, 61.2.2
- Allocation of personnel 16.1.2
- Americans with Disabilities Act
  - court access 73.2.1
  - recruitment 31.3.1
- Ammunition, authorized 1.3.9
- Analysis
  - crime 15.3.1
  - grievances 25.1.3
  - job task 21.1.1
  - motor vehicle pursuit 41.2.2
  - use of force 1.3.13
- Animals 41.1.4
- Application process 31.3.1
- Arrest
  - alternatives 1.2.6, 44.2.1
  - authority 1.2.1, 1.2.6, 16.3.3, 74.3.2
  - enforcement procedures 61.1.2
  - entry level training 16.3.3, 33.4.1
  - exceeding prisoner capacity 72.5.6
  - execution/attempt service, recording 74.1.2
  - field reporting system 82.2.2
  - files 82.3.6
  - ID number, criminal history 82.3.6
  - intake forms 72.5.2
  - legal authority defined 1.2.1
  - mass arrest 46.1.2
  - search and seizure 1.2.4
  - use of necessary force 1.3.1
  - victim/witness services 55.2.5
  - warrant 1.2.5, 74.1.2, 74.3.2
  - warrantless 1.2.5
- Assessment centers 34.1.3
- Assignment of personnel 16.1.2, 16.3.3
- Audit
  - fiscal 17.4.3
  - password 82.1.6
  - property 84.1.6
- Authority and responsibility 11.3
  - arrest 1.2.1, 1.2.5, 1.2.6, 1.2.8, 16.3.3
  - auxiliary 16.4.1
  - CEO 12.1.1, 12.2.1, 17.1.1
  - disciplinary 26.1.5
  - mutual aid 2.1.3
  - promotion 34.1.2
  - task force 42.2.5
  - training committee 33.1.1
- Auxiliaries 16.4

Background investigations  
     informants 42.2.7  
     preemployment 32.1.4, 32.2.1, 32.2.2, 32.2.3  
     tactical team 46.2.2  
 Barricaded person 46.1.2  
 Benefits 22.2  
 Bias Based Profiling 1.2.9  
 Bicycle 41.1.3, 61.1.5  
 Body armor 41.3.5, 41.3.6, 46.2.3  
 Booking 72.5.2, 72.5.3  
     mass arrest 46.1.2, 72.5.6  
     medical screening 72.6.3  
 Budgeting 17.2  
 Career development 33.8  
 Case management 42.1.3  
 Chain of Custody 83.2.1, 83.3, 84.1.1, 84.1.2, 84.1.5  
 Child - see Juvenile  
 Citations  
     accountability 82.2.3, 82.3.4  
     authority 1.2.6  
     juvenile 44.2.1  
     reporting 82.2.2  
     traffic 61.1.2, 82.3.3  
 Citizen survey 45.2.4  
 Civil  
     civil disturbance 46.1.2  
     civil service commission 32.1.1, 34.1.1, 34.1.2, 35.1.5  
     civil process 74.2.1  
     information, recording 74.1.1  
     liability protection program 22.2.2  
     warrant/wanted person procedures 74.1.3  
 Civil process 74.2  
 Civilian employees  
     training 33.7  
 Classification 21.2  
 Clothing and equipment  
     appearance 26.1.1  
     provided 22.2.5  
 Code of conduct 26.1.1  
 Code of ethics 1.1.2, 33.5.1  
 Cold case 42.2.9  
 Collection of evidence **83**  
 Collective Bargaining **24**  
 Command  
     “All Hazard” plan 46.1.2  
     disciplinary actions, role 26.1.5  
     notification 46.1.3  
     presence at scene 81.2.4  
     protocol 12.1.2  
     unity 11.2, 46.1.9  
 Communication **81**  
     24-hour, toll-free service 81.2.1  
     agreements 81.1.1  
     “All Hazard” plan 46.1.6  
     alternate power source 81.3.2  
     assistance, highway users 61.4.1  
     continuous, two-way capability 81.2.2  
     contract services **3**  
     facilities & equipment 81.3  
     FCC requirements 81.1.2  
     misdirected emergency calls 81.2.12  
     multichannel radios 81.3.4  
     natural/man-made disaster plan 46.1.2  
     on-call schedule 42.1.1  
     private security alarms 81.2.13  
     recording and playback 81.2.8  
     recording information 81.2.3  
     reports by phone or mail 81.2.14  
     resources 81.2.5  
     security 81.3.1  
     separate emergency/nonemergency calls 81.3.3  
     telephone system 81.3.3  
     training 33.7.2  
     undercover 43.1.5  
     victim/witness calls 81.2.6  
     VIP security 46.2.6  
 Community involvements 45.2  
 Compensation 22.1  
     disability/death benefit 22.2.2  
     education 22.2.2  
     extra duty 22.3.4  
     health insurance 22.2.2  
     off duty 22.3.3  
     retirement 22.2.2  
     support services 22.2.3  
     training 33.1.3  
 Complaints  
     agency personnel **52**  
     community 45.2.2  
     reporting 82.2.2  
     vice/drugs/organized crime 43.1.1  
 Computers  
     access 82.1.1  
     annual audit 82.1.6  
     back-up and storage 82.1.6  
     mobile data terminals 41.3.7  
     records access protocol 82.1.7

**Change Notice No. 2.8**  
**Recognition Standards for Law Enforcement Agencies Amendments**  
**Enacted by the Commission on March 26, 2010**

***Background***

This is the eighth change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notices 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 were previously made available to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 2.1 bear the dates July 2006 and November 2006, Change Notice 2.2 bear the dates July 2007, November 2007, March 2008, Change Notice 2.3 bear the date July 2008, Change Notice 2.4 bear the date December 2008 and Change Notice 2.5 bear the date March 2009, Change Notice 2.6 bear the date July 2009 and Change Notice 2.7 bear the date December 2009.

***Standards Amendments and Other Revisions Accompanying This Change Notice***

***Standard 2.1.3:*** Standard language change. (Effective Immediately)

***Standard 22.3.1:*** Standard language change.

***Standard 32.2.3:*** Standard language change. (Effective Immediately)

***Standard 32.2.9:*** Standard language change. (Effective Immediately)

***Standards 32.2.10:*** Standard language change. (Effective Immediately)

***Standard 34.1.7:*** Standard language change. (Effective Immediately)

***Standard 42.2.11:*** Standard language change. (Effective Immediately)

***Standard 42.2.12:*** Standard language change. (Effective Immediately)

***Standard 44.2.3:*** Standard and commentary language change.

***Where to Insert This Notice and Accompanying Pages***

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old, correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.

## **Change Notice 2.1 (January 2007)**

Standard 22.2.7: Standard and Commentary language were changed.  
Standard 71.3.3: Changed language for bullet a and added commentary language.  
Chapter 72 Introduction: Language change.  
APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.  
APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

## **Change Notice 2.2 (March 2008)**

Standard 16.3.3: Addition of Commission Interpretation.  
Standard 25.1.3: Language and Levels of Compliance changes.  
Standard 35.1.2: Language change.  
Standard 42.2.8: Language change.  
Chapter 45 Introduction: Language change.  
Standard 46.3.4: Language change.  
Standard 52.1.5: Levels of Compliance change.  
Chapter 71 Introduction: Language change.  
Standard 71.3.3: Language change.  
Standard 71.4.1: Language change.  
Standard 71.4.2: Language change.  
Standard 71.4.3: Language change.  
Subsection 71.5 Processing and Testing: New.  
Standard 71.5.1: New.  
Standard 81.2.10: Language change.  
Standard 81.2.14: Moved to Standard 82.2.5.  
Standard 81.2.15: Renumbered to Standard 81.2.14.  
Standard 84.1.6: Commentary Language change.  
APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.  
Language change to Temporary Detention.  
APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

## **Change Notice 2.3 (July 2008)**

Table of Contents: New Standards.  
Standard 33.5.4: Language change.  
Chapter 42 Introduction: Added paragraph 3.  
Standard 42.1.6: Revised.  
Standard 71.1.1: New Standard.  
Standard 71.5.1: New Standard.  
Appendix H: STANDARD TITLES  
H-10 – 46.3.4 changed to Hazemat Awareness.  
H-16 – 81.2.14 moved to 82.2.5 (H-17).  
H-16 – 81.2.15 changed to 81.2.14.

### **Change Notice 2.4 (December 2008)**

Standard 1.3.6: Commentary language change.

Standard 1.3.9: Commentary language change.

Appendix A: GLOSSARY – Added new terms:

PHOTOGRAPHIC LINEUP

PHYSICAL LINEUP

SHOW-UP

Appendix H: STANDARD TITLES

H-9 – Added 42.2.11 and 42.2.12.

Index

Index-4 – Added Eyewitness identification

Index-6 – Added Line-up

Index 8 – Show-up

### **Change Notice 2.5 (March 2009)**

Standard 1.3.1: Standard language change.

Standard 1.3.9: Standard language change.

Chapter 2 Introduction: Language change

Standard 2.1.3: Standard and Commentary language change.

Standard 22.3.3: New.

Standard 22.3.4: Renumbered from 22.3.3.

Standard 22.3.5: Renumbered from 22.3.4.

Chapter 46 Introduction: Language change

Standard 46.1.2: Standard language change.

Standard 46.1.9: Commentary language change.

Standard 83.2.2: Standard language change.

Appendix H: STANDARD TITLES

H-4 – Added 22.3.3

H-5 – Changed 22.3.3 to 22.3.4

H-5 – Changed 22.3.4 to 22.3.5

### **Change Notice 2.6 (July 2009)**

Standard 83.2.7: Commentary language change.

Standard 84.1.6: Standard and Commentary language change.

Appendix A: GLOSSARY – Revised and added new terms.

AUDIT

INVENTORY

PROPERTY AND EVIDENCE CUSTODIAN

Appendix I: SAMPLE SIZE TABLE – EVIDENCE CUSTODIAN CHANGE AUDIT – New.

The following correction to a typographical error in the publication is also made as part of this change notice:

ACKNOWLEDGEMENT



# 2

## AGENCY JURISDICTION AND MUTUAL AID

Standards in this chapter relate to an agency's jurisdiction and the provision and use of mutual aid and regional law enforcement services among agencies through cooperative agreements.

Agreements should be reached among first responder agencies, non-government organizations (NGO), social service organizations, institutions of higher education, school districts, medical facilities, and private entities in adjoining jurisdictions or within the agency's jurisdiction to provide assistance to each other in the event of natural disaster, mass disorder, pandemic or other emergency situations. Lines of command should be established beforehand. Procedures for the provision of personnel should also be established in advance.

The Commission has exempted state agencies from having formal mutual aid agreements with agencies in adjoining states. Standard 2.1.3 is not applicable for state agencies.

### 2.1 Agency Jurisdiction and Mutual Aid

**2.1.1** *A written directive delineates the specific geographical boundaries of the agency's jurisdiction.*

**Commentary:** It is fundamental that the agency clearly describes, in writing, the geographical boundaries of its jurisdiction. Situations involving overlapping or ambiguous territorial jurisdiction should be avoided. A detailed official map, including the boundaries of the jurisdiction, may satisfy the requirements of this standard. **(M M M M)**

**2.1.2** *A written directive specifies the agency's responsibilities in any interagency agreement regarding concurrent jurisdiction.*

**Commentary:** The intent of the standard is to encourage an agency to identify its responsibilities, with regard to concurrent jurisdiction, which are established as a matter of law or on the basis of interagency agreement. This standard does not require an interagency agreement where none exists. The written directive should clearly outline the source of the concurrent jurisdiction, e.g., cites the specific legal basis or relevant interagency agreement, and should outline such details as identification of which agency responds to a call for service by type, communication linkages between agencies to ensure prompt and appropriate response, provision of back-up support between jurisdictions, and reporting responsibilities and policy concerning the jurisdiction of prosecutors and courts. **(O O O O)**



**2.1.3** *The agency has written agreements with neighboring agencies to provide mutual aid in emergency situations. The mutual aid agreement must include, at a minimum, the following details:*

- a. the legal status of agencies and agency personnel responding to mutual aid requests;*
- b. procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;*
- c. procedures for requesting mutual aid;*
- d. identity of those persons authorized to request mutual aid;*
- e. identity of persons to whom outside personnel are to report;*
- f. procedures for maintaining radio communication with outside personnel;*
- g. expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources; and*
- h. procedures for review and revision if prescribed in the agreement.*

**Commentary:** Emergency situations often require augmented law enforcement capabilities to restore order or assist victims. The agency's mutual aid agreement should provide all the information necessary to initiate mutual aid activities either on behalf of the agency or at the request of a neighboring law enforcement agency. The agreement should also consider provisions for the indemnification of the provider agency and its personnel, e.g., life, health, and liability insurance.

Whether the agency operates under existing legislation or a mutual aid agreement, it should have a plan for providing or receiving aid in critical incident situations. The plan should assess the extent of aid that could be provided while maintaining adequate law enforcement coverage in the service area. The types and amounts of major resources should be estimated and their locations listed. Planning should also involve liaison with other agencies (non-government organizations (NGO), social service organizations, institutions of higher education, school districts, medical facilities, and private entities) that may be involved when mutual aid is invoked. **(O O O O)**

**2.1.4** *A written directive governs procedures for requesting federal law enforcement or national guard assistance in emergency situations.*

**Commentary:** None. **(M M M M)**

## 22.3 Conditions of Work

**22.3.1** *A written directive describes the agency's policy regarding physical examinations for employees.*

**Commentary:** A physical examination is a benefit to both the employee and the agency. Any physical examination should be conducted only to confirm the employees' continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.

The nature of some specific positions or responsibilities may necessitate periodic specific health screenings, such as those for crime scene personnel, firearms instructors, or range technicians who are repeatedly exposed to hazardous chemicals or lead contaminants. (M M M M)

**22.3.2** *A written directive describes the agency's policy regarding general health and physical fitness to perform job tasks identified for sworn employees.*

**Commentary:** The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations, and fitness requirements should be specified. Standards of fitness should be those that have been shown to be directly related to the tasks performed, and not serve to eliminate or penalize employees who can otherwise perform the tasks of their assignment, with or without reasonable accommodation. (M M M M)

**22.3.3** *The agency has a written directive that addresses a fitness and wellness program which includes:*

- a.. *mandatory or voluntary participation by agency personnel;*
- b. *a trained program coordinator;*
- c. *individual health screening and fitness assessment;*
- d. *individual education and goal setting; and*
- e. *ongoing support and evaluation.*

**Commentary:** A fitness and wellness program has two main elements. The first is physical performance, i.e., the development and maintenance of physical performance capability to satisfactorily perform job tasks and personal activities. The second is the individual's present health status as well as the risk for future disease. This is impacted greatly by lifestyle choices, including smoking, nutrition, weight, stress management, inactivity, etc. The agency should also consider incentives to encourage employee participation. (O O O O)

**22.3.4** *A written directive governs the types of off-duty employment in which agency personnel may engage.*

**Commentary:** This standard applies to both sworn and non-sworn personnel. It pertains to secondary employment of the off-duty type—that is, outside employment wherein the use of law enforcement powers is not anticipated. Agencies may want to consider expressing the prohibition of certain types of

off-duty employment in general terms, such as proscribing off-duty employment that, in the opinion of the agency, would constitute a conflict of interest or would tend to bring discredit to the agency. The prohibition could be quite specific, such as by focusing on specific jobs or locations. (O O O O)

**22.3.5** *If the agency permits sworn personnel to engage in extra-duty employment, a written directive addresses the following:*

- a. *the requirement that sworn personnel must receive agency permission to engage in extra duty employment;*
- b. *policies that address the behavior and activities of officers during extra-duty employment;*
- c. *approval, review, and revocation processes pertaining to officers' extra-duty employment;*
- d. *designation of a point of coordination or administration within the agency to oversee adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency; and*
- e. *documentation of the significant aspects of each officer's extra-duty employment.*

**Commentary:** This standard pertains to sworn personnel whose secondary employment is of the extra-duty type, that is, outside employment wherein the actual or potential use of law enforcement powers is anticipated.

Bullet (a) requires sworn officers to obtain permission of the agency to engage in extra-duty employment. In addition, the relationship between the extra-duty employer and the officer-employee may be governed by a written agreement between the agency and extra-duty employer. Among other provisions, an agreement might specify that payment by the extra-duty employer for the officer-employee's services shall be remitted to the agency, which will promptly compensate the extra-duty officer.

Regarding policies referred to in bullet (b), the agency might address the following matters, among others, if not already covered by the agreement: authority of officers while working in an extra-duty capacity; responsibilities of the officers to the agency and to extra-duty employers; matters of jurisdiction; callback, if required; limitations, if any, on the number of hours worked per given time period and on the number of hours worked immediately prior to reporting to the agency; use of agency property (weapons, uniforms, and the like); and liability, compensation, and indemnification issues arising from injuries or other incidents occurring during extra-duty employment.

Regarding the approval, review, and revocation processes noted in bullet (c), the agency's written directive should cover a description of those processes, types of extra-duty employment that are prohibited, and agreement by the extra-duty employer to restrictions, if any, on the types and conditions of employment, including an assessment of the potential risk of injury.

With respect to bullet (e), documentation should reflect the unique needs of the agency, the relevant sections of its collective bargaining agreement, if any, as well as pertinent statutory requirements, e.g., the federal Fair Labor Standards Act. Among the significant aspects of extra-duty employment to document, the agency should consider the following: date, time, and place of employment; incidents that involved use of law enforcement powers, injury to the officer or others, complaints received, and court appearances (scheduled and actually attended) resulting from extra-duty employment; and liability and indemnification concerns stemming from actions during extra-duty employment. (M M M M)

tions. From the outset, candidates should be made aware that sensitive or confidential aspects of their personal lives may be explored. Written notification of the expected duration of the selection process not only is a courtesy but also helps the agency better plan and coordinate its selection process.

**(M M M M)**

**32.1.5** *All candidates not selected for positions are informed in writing.*

**Commentary:** Prompt notification in writing is not only an essential element of an efficient administrative organization but also is fundamental to a fair and effective selection process. Candidates should be informed within 30 days of such a decision. **(M M M M)**

**32.1.6** *A written directive governs the disposition of the records of all candidates not selected for appointment.*

**Commentary:** It is necessary to maintain selection data to ensure continuing research, independent evaluation, and defense against lawsuits. The agency should determine requirements, consistent with applicable laws, for maintaining identifying information, such as names and addresses. The agency should comply with all federal, state, and local requirements regarding the privacy, security, and freedom of information of all candidate records and data. **(M M M M)**

**32.1.7** *A written directive requires that selection materials be stored in a secure area when not being used and are disposed of in a manner that prevents disclosure of the information within.*

**Commentary:** The agency responsible for selection materials should limit access to them and store them in locked files to provide 24-hour security. Selection materials should not be left unattended. **(M M M M)**

## **32.2 Administrative Practices and Procedures**

**32.2.1** *A background investigation of each candidate for all positions is conducted prior to appointment to probationary status, and includes:*

- a. verification of qualifying credentials;*
- b. a review of any criminal record; and*
- c. verification of at least three personal references.*

**Commentary:** It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier. **(M M M M)**

**32.2.2** *Personnel used to conduct background investigations are trained in collecting required information.*

**Commentary:** None. **(M M M M)**

**32.2.3** *The agency has a policy regarding the retention of each candidate's background information.*

**Commentary:** None. (M M M M)

**32.2.4** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, candidates are provided with a list of areas from which polygraph questions will be drawn, prior to such examination.*

**Commentary:** Agencies are not required to administer polygraph examinations or other truth verification tests to all job classifications. For example, polygraph examinations may be required for sworn personnel but need not be required for non-sworn personnel. (M M M M)

**32.2.5** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, the administration of examinations and the evaluation of results are conducted by personnel trained in these procedures.*

**Commentary:** The sensitive nature of these tests makes it necessary to rely upon examiners who possess professional training and credentials in the use and interpretation of these investigative tools. (M M M M)

**32.2.6** *A written directive prohibits the use of results of polygraph examinations or other instruments for the detection of deception as the single determinant of employment status.*

**Commentary:** Authorities agree that polygraph examinations or other instruments for the detection of deception should be used only as an investigative aid, if at all. An admission during pre-test, test, or post-test interviews, together with other information, may be sufficient to support decisions relevant to employment status. (M M M M)

**32.2.7** *A medical examination is conducted, prior to appointment to probationary status, to certify the general health of each candidate for a sworn position.*

**Commentary:** None. (M M M M)

**32.2.8** *An emotional stability and psychological fitness examination of each candidate for a sworn position is conducted and assessed by a qualified professional prior to appointment to probationary status.*

**Commentary:** None. (M M M M)

**32.2.9** *The agency has a policy regarding the retention of the results of medical examinations, emotional stability and psychological fitness examinations.*

**Commentary:** The agency should maintain a report of each physical examination and emotional stability and psychological fitness examination to ensure proper procedures are followed and to provide data for continuing research and legal defense, if needed. All records should be stored in a secure area.

Access should be restricted to those persons legally entitled to review these records. The files or records may be maintained in agency files or at the location of the medical examination provider.  
(M M M M)

**32.2.10** *In the absence of controlling legislation or a collective bargaining agreement, at least a six-month probationary period for sworn personnel following completion of entry-level classroom training is required before candidates are granted permanent status.*

**Commentary:** The agency should include a probationary period among the final steps in the selection process. A six-month probationary period is generally accepted as a minimum among the law enforcement community and should be carefully related to the field training program (see standard 33.4.3). Exceptions to the probation period if any, should be described in the directive. Exceptions may include special assignments, injury, or illness occurring during entry-level training and remedial training.  
(M M M M)



Many commercially available tests have done validation studies that may be helpful to an agency.

Nothing in this standard should be interpreted as preventing an agency from using a combination of methods to document the job-relatedness of its promotion process. The goal of this standard is to ensure that the agency has the documentation necessary to make a logical and persuasive case in the event of a legal challenge and that the elements of the promotion process measure skills, knowledge, abilities, and traits needed to perform that job. (M M M M)

**34.1.5** *The agency provides sworn personnel with a written announcement of the promotional process.*

**Commentary:** Announcements should be posted prominently and in a timely fashion and be augmented by periodic verbal reminders at staff meetings, conferences, and shift briefing sessions. A concise description of the vacancy should be provided, including the salary and the duties, responsibilities, skills, knowledge, and abilities required. Eligibility should be established during a formal qualifying period that continues until the closing date of the announcement, until the closing date for submitting a completed application, or until the date of the first scored part of the process, e.g., for a written examination. The description of the promotion process should be as detailed as is necessary to indicate clearly to candidates what they can expect. Information should include expected duration of the entire process; format, length, and duration of the written examination, if any; a summary of the role of the oral interview; cut-off scores on written and oral evaluations; a description of the assessment center, if any; and the numerical weight assigned to each element of the process. (M M M M)

**34.1.6** *A written directive establishes criteria and procedures for the development and use of eligibility lists, if any, for sworn positions to include, at a minimum:*

- a. *the numerical weight, if any, assigned to each eligibility requirement;*
- b. *the system of ranking eligible candidates on the lists;*
- c. *time-in-grade and/or time-in-rank eligibility requirements, if any;*
- d. *the duration of the lists; and*
- e. *the system for selecting names from the lists.*

**Commentary:** None. (M M M M)

**34.1.7** *A written directive requires at least a six-month probationary period for all sworn personnel who are promoted, with any exceptions defined.*

**Commentary:** The agency should include a probationary period among the final steps in the process to ensure newly promoted employees can assume the duties and responsibilities of the new positions, an intent consistent with selection procedures for entry-level officers. Employees on probation should be closely observed and evaluated frequently. Unsatisfactory performance should be identified and corrected early through counseling, training, or other suitable personnel actions to safeguard against the promotion of employees beyond their capabilities. Exceptions while rare may occur. The agency's written directive should include criteria necessary to exempt a newly promoted officer from this requirement. (M M M M)





**42.2.8** *The agency has a written directive concerning identity crime and procedures for:*

- a. taking identity crime reports;*
- b. specialized report forms, if any;*
- c. providing information and assistance to identity crime victims;*
- d. coordination of investigations with other agencies; and*
- e. providing public information on prevention of identity crime.*

**Commentary:** Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect an individual for years. Identity crime has been directly linked to terrorist activities in both funding operations and obtaining documents for illegal purposes.

The initial agency report information may require the use of a special form designed to obtain information unique to this crime. Information from government agencies is readily available to assist a victim in providing notices of identity theft, re-establishing their identity and credit, and for public awareness presentations. (O O O O)

**42.2.9** *A written directive describes the procedures for the investigation of cold case files, which includes:*

- a. defining a cold case;*
- b. establishing cold case evaluation criteria; and*
- c. recording agency investigative actions or activities.*

**Commentary:** Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. With recent advances in DNA (deoxyribonucleic acid) analysis, law enforcement has made a great advancement in its ability to identify unknown offenders, even years after the crime occurred.

Law enforcement agencies should have a procedure where unsolved/cold cases are reviewed for new information or where the application of new technology may be successful in solving the cases. This is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts. (O O O O)

**42.2.10** *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:*

- a. weapons control;*
- b. security concerns;*
- c. number of personnel allowed in the interview room;*
- d. means and methods for summoning assistance, if needed;*
- e. equipment or items to be kept in the interview room or area; and*
- f. access to restrooms, water, or comfort breaks.*

**Commentary:** For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. **(M M M M)**

**42.2.11** *A written directive describes the procedures for using photographic or physical lineups in eyewitness identification to include the following:*

- a. *composition of lineup;*
- b. *using video and/or audio recording;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing lineup;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting lineup and the results.*

**Commentary:** The intent of this standard is to establish reliable identification testimony by a witness. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations. **(M M M M)**

**42.2.12** *A written directive describes the procedures for using show-ups in eyewitness identification to include the following:*

- a. *compelling reasons under which a show-up may occur;*
- b. *manner of transportation to the show-up;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing show-up;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting show-up and the results.*

Law enforcement agencies have a wide range of alternative remedies they may employ, ranging from warnings to intake.

If allowed by law, written citations or summonses should be used rather than taking juveniles into custody. A copy of the citation should also be sent to the juvenile's parents or guardians.

The agency should have guidelines for making diversion decisions, such as the nature of the offense, the age and circumstances of the offender, the offender's record, the availability of community-based rehabilitation programs, and recommendations for diversion from complainants or victims.

Where appropriate and when resources are available, simple treatment by the agency alone, consisting principally of supervision on a voluntary basis agreed to by the parents, may suffice.

In other cases, a relatively prolonged program of treatment or diversion on a voluntary basis, necessitating the services of one or more social agencies, may be needed.

Agency referral of alleged juvenile offenders for formal legal proceedings should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to the juvenile justice system would include all delinquent acts that, if committed by an adult, would be felonies; all delinquent acts involving weapons; all serious gang-related delinquent acts; all delinquent acts involving aggravated assault and battery; all delinquent acts committed by juveniles on probation or parole or by those with a case pending; and all repeated delinquent acts (within the preceding 12 months).

Other cases that may require referral to the juvenile justice system include juveniles who have been selected for a diversion program but have refused to participate and cases in which it has been determined that parental supervision is not effective.

If prevailing law specifies requirements for intake, the standard may be satisfied by incorporating reference to the law into the written directive. (M M M M)

**44.2.2** *The agency has written procedures for taking a juvenile into custody including, at a minimum, provisions for the following:*

- a. determining whether the juvenile is alleged to have engaged in noncriminal misbehavior (a status offense);*
- b. determining whether the juvenile is alleged to have been harmed or to be in danger of harm;*
- c. ensuring that the constitutional rights of juveniles are protected;*
- d. bringing the juveniles to the intake facility or the juvenile component without delay (unless a juvenile is in need of emergency medical treatment); and*
- e. notifying parents or guardians of juveniles that the latter have been taken into custody.*

**Commentary:** The intent of the standard is to provide guidance to agency personnel in making custody decisions in juvenile matters. For the purposes of this standard the term "taking into custody" encompasses the concept of protective custody for juveniles.

Agency procedures should also specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody. (M M M M)

**44.2.3** *A written directive describes the procedures for the custodial interrogation of juveniles.*

**Commentary:** In developing this directive, the agency should be aware that the voluntariness of the juvenile's confession will generally be the issue. In determining whether a confession is voluntary, the courts look to the totality of the circumstances which includes a review of the following factors related to the juvenile defendant: 1) age, intelligence, educational background, 2) mental capacity, including whether the defendant was nervous and physical condition, 3) prior experience in the criminal system, 4) whether the defendant is suffering from any injury or pain at the time the statement is given, 5) the duration of the questioning, 6) time of day, 7) whether the defendant is tired and is desirous of sleep, 8) length of confinement, 9) whether Miranda or police caution warnings were given, when, and whether he understood them, 10) whether the room size was of sufficient size and supplied with appropriate furniture, 11) whether defendant was cuffed or threatened, 12) whether defendant was refused the use of bathroom, food, or drink, 13) whether there was a promise of leniency, 14) whether the juvenile understood the interrogation process, 15) whether a youth officer is present during the interview, 16) whether the parents were notified, 17) whether the juvenile asked for a parent to be present, 18) whether the police prevented a concerned adult from speaking with the juvenile, which is a significant factor, and 19) familiarity with English or the official language. (M M M M)

**44.2.4** *A written directive describes the agency's school liaison program.*

**Commentary:** School liaison programs can also provide a forum through which students, parents, faculty, and law enforcement officers can become acquainted and, as a result, earn mutual respect. Apart from the obvious benefits accruing to students, such programs demonstrate to parents and faculty that the agency has a genuine interest in the community's young people. (O O O O)

**44.2.5** *The agency participates in and/or organizes community recreational youth programs.*

**Commentary:** Law enforcement agencies should take an active leadership role in developing community recreational programs for juveniles.

This standard is intended to encourage the establishment of ongoing recreational programs as opposed to occasional events. This standard is additionally intended to address recreational program, as opposed to youth-oriented instructional programs, e.g., DARE, GREAT. (O O O O)