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Chapter 1 Introduction

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 and limits of authority.

When an agency defines its role, two broad purposes are served. First, 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 Law Enforcement Agency Role and 1.2 Limits of Authority) using the following five caveats as a guide:

- A very clear distinction is made in this manual between sworn and non-sworn personnel. Read the glossary definitions for sworn officer, non-sworn, and full-custody arrest carefully. A sworn officer has the authority to make a full custody arrest; a non-sworn employee does not.

- 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.

- Some agencies have reserve officers (see Glossary - Appendix A). Reserve officers are part-time sworn personnel. Standards in Chapter 16, Reserve Officer Program, deal specifically with this category.

- Some agencies have citizen volunteers (see Glossary - Appendix A). Volunteers are not sworn personnel, even though in some states, provinces, or localities volunteers 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 volunteers will be used.

- Some agencies may issue certain less lethal weapons or restraining devices to non-sworn 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 4 Use of Force), and training, (Chapter 33 Training and Career Development), or possibly detainee transport, (Chapter 70 Detainee Transportation), 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 and limits of authority 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.
1.1.1 (LE1)

(M M M M) (LE1) Oath of Office

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) (LE1)
1.1.2 (LE1)

(M M M M) (LE1) Code of Ethics

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 non-sworn 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. Time sensitive standard. (M M M M) (LE1)
1.2.1 (LE1)

(M M M M) (LE1) Legal Authority Defined

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) (LE1)
1.2.3 (LE1)

(M M M M) (LE1) Compliance with Constitutional Requirements

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. The agency should ensure that all applicable regulations and laws that apply to interrogations and access to counsel are followed. (M M M M) (LE1)
1.2.4 (LE1)

(M M M M) (LE1) Search and Seizure

A written directive governs search and seizure without a warrant by agency personnel.

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. The written directive should include such issues as consent, stop-and-frisk, movable vehicle, and exigent circumstance searches, as well as other situations impacting law enforcement personnel conducting searches and seizures without a warrant.

Consideration should be given to what type of evidence or contraband can be seized because of the search. In regard to crimes involving sexual activity, the directive should prohibit evidence of vice crimes, such as condoms, as the sole basis for determining criminal activity. (M M M M) (LE1)
1.2.5 (LE1)

(M M M M) (LE1) Arrest with/without Warrant

A written directive specifies the procedures for any arrest, made with or without a warrant.

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; and requirements that pertain to arrestee rights. (M M M M) (LE1)
1.2.8 (LE1)

(M M M M) (LE1) Strip/Body Cavity Search

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 or gender identity/expression;

c. provisions for circumstances involving juveniles; and

d. 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. Other factors to consider include age and mental capacity of subject to be searched, as well as the environment in which the search occurs. 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) (LE1)
1.2.9 (LE1)

(M M M M) (LE1) Bias Policing

The agency has a written directive governing biased policing and, at a minimum, includes the following provisions:

a. a prohibition against biased based policing;

b. initial training and annual training for affected personnel in biased issues including legal aspects; and

c. a documented annual administrative review of agency practices including citizen concerns and any corrective measures taken.

Commentary

Biased policing is the application of police authority based on a common trait of a group. This includes but is not limited to race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

Law enforcement agencies should not condone biased policing 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, biased policing alienates the public, fosters distrust of law enforcement by the community, invites media scrutiny, invites legislative action, and judicial intervention.

Law enforcement personnel should focus on a person's conduct and not consider common traits unless that trait has been associated with a specific suspect of a crime or the suspects associated with a pattern of incidents in a particular area.

Law enforcement agencies should implement ongoing, top down training for all officers in cultural diversity and related topics that can build trust and legitimacy in diverse communities. This should be accomplished with the assistance of advocacy groups that represent the viewpoints of communities that have traditionally had adversarial relationships with law enforcement. The agency should ensure all police actions provide training that addresses how bias can affect police activities and decision making, such as field contacts, traffic stops, searches, asset seizure and forfeiture, interviews and interrogations. Training should emphasize the corrosive effects of biased policing on individuals, the community and the agency.

It is best practice for the agency to collect and track data relating to all citizen contacts as defined by the data tables (biased policing, traffic warnings and citations). Time sensitive standard. (M M M M) (LE1)
Chapter 3 Introduction

The provision of law enforcement services should be based on a precise written agreement. Necessary elements of the agreement include a description of the services to be provided, the cost of the services, if any, 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; school resources officers; 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.
3.1.1 (LE1)

(M M M M) (LE1) Written Agreement for Services Provided

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) (LE1)
Chapter 4 Introduction

Standards in this chapter relate to the authorization, proper application, documentation, review and analysis of the use of force by agency personnel. Written directives concerning the use of force should emphasize the agency's core values and intent to meet the public's expectations in the delivery of professional law enforcement services. 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 the use of force and officer discretion shall be determined by the agency, but such policies, procedures, and training must include the legal issues involved as related to the applicable topic. It is recognized that some jurisdictions may mandate such training. Agencies are encouraged to view legal requirements as a minimum in the training process, for a true commitment to professionalism transcends minimum legal requirements. Such training should inculcate in the agency and its members an uncompromising commitment to principles of professionalism, including responsibility and compassion. Care should be given to ensure the agency has comprehensive policies on the use of force that, include training, investigations, data collection, and information sharing.

Agencies may elect to issue certain less lethal weapons or restraining devices to non-sworn personnel such as security guards, detention employees, or others whose scope and responsibility necessitates the use of these items. However, issuing these items will cause standards such as use of force (Chapter 4 Use of Force), training (Chapter 33 Training and Career Development), or possibly detainee transport (Chapter 70 Detainee Transportation) to become applicable to this category of agency personnel.
4.1.1 (LE1)

(M M M M) (LE1) Use of Reasonable Force

A written directive states personnel will only use reasonable force to accomplish lawful objectives.

Commentary

Agencies should ensure training is conducted ranging from immediate action to de-escalation. De-escalation policy should also include a discussion of proportionality, using distance and cover, tactical repositioning, “slowing down” situations that do not pose an immediate threat, calling for supervisory and other resources, etc. (M M M M) (LE1)
4.1.2 (LE1)

(M M M M) (LE1) Use of Deadly Force

A written directive states that an officer may use deadly force only when the officer reasonably believes that the action is in defense of any human life in imminent danger of death or serious bodily 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 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 loss of life to include that of the officer. (M M M M) (LE1)
4.1.3 (LE1)

(M M M M) (LE1) Warning Shots

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) (LE1)
4.1.4 (LE1)

(M M M M) (LE1) Use of Authorized Less Lethal Weapons

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

Commentary

None. (M M M M) (LE1)
4.1.5 (LE1)

(M M M M) (LE1) Rendering Aid

A written directive specifies procedures for ensuring appropriate medical aid after use of force incidents and injuries during apprehension.

Commentary

The intent of this standard is to minimize the severity posed by obvious injuries or non-visible trauma commonly associated with police actions. "Appropriate medical aid" should be rendered as quickly as reasonably possible, but 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. (M M M M) (LE1)
4.2.1 (LE1)

(M M M M) (LE1) Reporting Uses of Force

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. 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 actions taken to euthanize animals. Time sensitive standard. (M M M M) (LE1)
4.2.2 (LE1)

(M M M M) (LE1) Written Use of Force Reports and Administrative Review

The agency has a written procedure for the administrative review of each use of force report.

Commentary

The use of force by public safety professionals in the delivery of service is a critical issue for the affected employee(s), suspect and the general public. The incidents bring tremendous scrutiny not only within the legal environment, but also across interest groups, affected families, and others directly or indirectly connected to the issue. Detailed documentation of such incidents allows for proper administrative review and the collection of data that can contribute to the creation of safer strategies for employees and citizens.

Recommended data to be collected includes a summary of the incident; race, gender, and age of subject to which force was applied; date, time, location, and circumstances of requiring force; documentation of injuries (officer and civilian); medical treatment provided; and acknowledgement of supervisory review, including any follow up actions. Personnel responsible for conducting use of force investigations should receive training commensurate with the types and levels of investigations to be conducted, as defined by the agency. If the agency establishes a use of force review committee composed of senior leadership and other appropriate practitioners, as defined by the chief executive officer, it reviews such incidents and makes recommendations on corrective or adverse actions, to include non-disciplinary actions such as training or tactical improvements. Time sensitive standard. (M M M M) (LE1)
4.2.3 (LE1)

(M M M M) (LE1) Operational Assignment

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 operational assignments, 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 to enhance understanding of this procedure.

Agencies may consider some form of independent review of deadly use of force incidents. (M M M M) (LE1)
4.2.4 (LE1)

(M M M M) (LE1) Analyze Reports from Use of Force

Annually, the agency conducts an analysis of its use of force activities, policies and practices. The analysis should identify:

a. date and time of incidents;
b. types of encounters resulting in use of force;
c. trends or patterns related to race, age and gender of subjects involved;
d. trends or patterns resulting in injury to any person including employees; and
e. impact of findings on policies, practices, equipment, and training.

Commentary

A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. The process of collecting and reviewing the reports is also critical to this analysis. Time sensitive standard. (M M M M) (LE1)
**4.3.1 (LE1)**

(M M M M) (LE1) Authorization: Weapons and Ammunition

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:

1. 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;
2. the types and specifications of ammunition approved for use, including ammunition used in specialized weapons for members of tactical teams or other specialized personnel;
3. 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;
4. a process to remove unsafe weapons;
5. the procedure for maintaining a record on each weapon approved by the agency for official use; and
6. 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. (M M M M) (LE1)
4.3.2 (LE1)

(M M M M) (LE1) Demonstrating Proficiency with Weapons

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. 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) (LE1)
4.3.3 (LE1)

(M M M M) (LE1) Annual/Biennial Proficiency Training

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 in-service training 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.

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. Time sensitive standard. (M M M M) (LE1)
4.3.4 (LE1)

(M M M M) (LE1) Prerequisites to carrying lethal / less lethal weapons

A written directive requires all agency personnel authorized to carry lethal and less lethal weapons receive all use of force policies and related instruction before authorization to carry a weapon. Policy receipt and curriculum delivery must be documented.

Commentary

All personnel authorized to carry weapons intended for use of force application must receive training on their use from the perspectives of practical application and organizational policy. Instruction should include confirmation of employee understanding of legal implications and requirements, weapon specific operating and care procedures, documentation and reporting procedures, obligations following the use of force, and any other subject matter required within this section of the CALEA Standards for Law Enforcement Agencies. (M M M M) (LE1)
Chapter 11 Introduction

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 General Management and Administration 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 assessments.
11.1.1 (LE1)

(M M M M) (LE1) Description of Organization

A written directive describes the agency's organizational structure and functions, is depicted graphically on an organizational chart that is reviewed and updated as needed, and is available to all personnel and the public.

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 should coincide with this description.

Functional responsibility may be assigned to an individual position or a component specifically created and staffed. Functional responsibility for several activities could also be assigned to a single position or component, as needed. (M M M M) (LE1)
11.3.1 (LE1)

(M M M M) (LE1) Responsibility/Authority

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) (LE1)
11.3.3 (LE1)

(M M M M) (LE1) Notify CEO of Incident with Liability

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) (LE1)
Chapter 12 Introduction

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 derive 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.
12.1.1 (LE1)

(M M M M) (LE1) CEO Authority and Responsibility

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) (LE1)
12.1.2 (LE1)

(M M M M) (LE1) Command Protocol

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 and for specific operational activities. Command protocol should clarify authority, alleviate confusion, and ensure uninterrupted leadership. (M M M M) (LE1)
12.1.3 (LE1)

(M M M M) (LE1) Obey Lawful Orders

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) (LE1)
12.2.1 (LE1)

(M M M M) (LE1) The Written Directive System

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.

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) (LE1)
12.2.2 (LE1)

(M M M M) (LE1) Dissemination and Storage

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;

b. storage of written directives and placement 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 paper-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 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.

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. (M M M M) (LE1)
Chapter 15 Introduction

Standards in subchapter 15.1 Planning and Research 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. One part of the planning function includes agency reviews of events determined to pose significant risks to the credibility or capacity of the organization as a public safety service provider with the intent of determining systemic issues contributing to unintended outcomes.

Clear articulation of written goals and objectives is an essential part of effective agency management. As such, a multi-year plan should be implemented to address efforts of achieving them. A Multi-Year plan can be a single stand-alone document or a combination of other goals and planning documents, which are linked together, so that in total they provide direction for the agency.

Standards in subchapter 15.2 Goals and Objectives relate to agency goals and objectives.

Crime analysis (subchapter 15.3 Crime Analysis) 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. Care should be given to ensure the collection and preservation of criminal intelligence complies with all applicable laws.

Operational personnel are provided with information that can benefit them in the development of daily operational and tactical plans. Administrative personnel 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.
15.2.1 (LE1)

(M M M M) (LE1) Annual Updating/Goals and Objectives

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. Time sensitive standard.  (M M M M) (LE1)
Chapter 17 Introduction

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.

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. Investigative functions within the agency may maintain funds for informants, buy-money, and undercover expenses. Support functions may receive cash for fees, licenses, fines, or other purposes. In addition, 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.

This chapter also 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.
17.4.2 (LE1)

(M M M M) (LE1) Cash Fund/Accounts Maintenance

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, and all other instances where cash funds are maintained or cash is received or disbursed. Time sensitive standard. (M M M M) (LE1)
17.5.2 (LE1)

(M M M M) (LE1) Operational Readiness

A written directive requires agency property to be stored in a state of operational readiness and designates the person or unit responsible for its maintenance.

Commentary

Stored items of the agency's equipment—such as radios, handcuffs, batons, and items of special equipment, such as radar, cameras, and digital 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) (LE1)
Chapter 21 Introduction

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 knowledge, skills, and abilities (KSA'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 other proceedings when the fairness of hiring and promotion programs is examined.

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 be better suited to 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.
21.2.2 (LE1)

(M M M M) (LE1) Job Description Maintenance and Availability

A written directive requires a documented review of job descriptions of all employees every four years, ensuring job descriptions are current and 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. Time sensitive standard. (M M M M) (LE1)
Chapter 22 Introduction

Employees are the most valuable asset in any law enforcement agency. An effective personnel management system involves a variety of activities to ensure optimal use of human resources is achieved. This chapter provides a foundation for effective personnel management and includes information pertaining to the compensation and benefits, conditions of work, collective bargaining, and employee grievances.

Standards in 22.1, Compensation and Benefits Programs, provide direction for the achievement of documented compensation and benefits programs that are fairly and equitably applied, and competitive with compensation and benefits offered in the labor market. While some jurisdictions may have a central personnel agency responsible for defining and administering personnel functions for the law enforcement agency, the chief executive officer should retain certain prerogatives and control of employee compensation and benefits. The chief executive officer should also have a role in the development and review of applicable policies and programs related to compensation, benefits, and conditions of work.

Standards in 22.2, Conditions of Work, provide direction in those areas concerning physical examinations, physical fitness, wellness programs, off-duty employment, and extra duty employment. The physical requirements of law enforcement personnel exceed those of the majority of other professions and it is important agencies take into account procedures to ensure their employees can perform effectively. These standards concern an integral role in service delivery to the public and focus on the health and welfare of the personnel delivering that service.

Standards in 22.3, Collective Bargaining and Contract Management, apply to law enforcement agencies where collective bargaining is an ongoing practice. There are many variations among agencies regarding the administration of the collective bargaining process. These practices range from procedures completely removed from the agency and carried out by officials of other governmental agencies or outside specialists, to a collective bargaining practice involving agency personnel having responsibility for the entire collective bargaining process. These standards are directed to law enforcement agencies with personnel participating 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.

Standards in 22.4 pertain to 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 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 section 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. Although the agency has latitude in determining which issues are grievable by personnel, care should be given to ensure the process is broad enough to receive important information from employees and not detract from the value of the process. In some cases, processes may be managed by municipal, county, state, provincial, university, or college human resource departments, as well as civil service systems. Each element of all applicable standards must be addressed regardless of the structure for compliance.
22.1.3 (LE1)

(M M M M) (LE1) Benefits Program

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, volunteer, 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. (M M M M) (LE1)
22.1.5 (LE1)

(M M M M) (LE1) Victim Witness Services/Line of Duty Death

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. Agencies should review line of duty death related resources periodically to ensure contact numbers and support information remains contemporary and appropriate for distribution to affected families or beneficiaries. (M M M M) (LE1)
22.1.8 (LE1)

(M M M M) (LE1) Employee Identification

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

a. responding to requests to view personnel identification;

b. providing official agency identification with at least the personnel's photograph; and

c. verbal identification over the telephone.

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) (LE1)
22.1.9 (LE1)

(M M M M) (LE1) Military Deployment and Reintegration

The agency has a written directive establishing a plan for personnel with military activations exceeding 180 days for pre-deployment, deployment, and post deployment. The plan includes provisions for:

a. designating an agency point of contact;

b. designating a human resources point of contact, if outside the agency;

c. out processing, including an exit interview with the CEO or designee;

d. storage of agency owned equipment during deployment;

e. in processing, including an interview with the CEO or designee;

f. initial and/or refresher training, weapons requalification and steps for reintegration, as appropriate; and

g. ensuring a process for communication with the deployed member is established.

Commentary

Employees who are members of the armed forces Reserve Component (i.e. military reservists or members of the National Guard) present unique circumstances surrounding their employment. Deployment orders can come suddenly, so a plan should be ready for the eventuality. Best practice is effective communication from the agency to the employee and his or her family prior to, during, and following a deployment. Having a strong point of contact throughout the deployment period will help ensure a seamless transition. To the extent possible, the deployed employee should be notified of agency news, significant events, and promotions or promotion opportunities.

The member's dual role as citizen/soldier, subject to deployment on short notice, can test the agency and the CEO's ability to be flexible. Rights, responsibilities, and minimum requirements are outlined in statutory law, most notably but not limited to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

It is recognized that members returning from military deployment, particularly those involved in combat operations, may have specialized needs. It is further recognized that traditional Employee Assistance Programs (EAP) may not sufficiently meet the needs of our returning military members/police officers. As a result, the agency should consider all locally available and feasible resources to meet those particular needs.

Depending on the duration of the deployment, initial or refresher training should be provided and requalification with departmental weapons (lethal and less lethal) should occur as appropriate. (M M M M) (LE1)
22.2.2 (LE1)

(M M M M) (LE1) General Health and Physical Fitness

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) (LE1)
22.2.5 (LE1)

Extra-Duty Employment

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) (LE1)
22.4.1 (LE1)

(M M M M) (LE1) Grievance Procedures

A written directive establishes a grievance procedure, which includes the following:

a. identification of matters that are grievable;

b. levels in the agency or government to which the grievance may be filed and/or appealed;

c. time limitations for filing or appealing the grievance to the next level;

d. type of information to be submitted when filing a grievance;

e. establishment of procedural steps and time limitations at each level in responding to grievances or appeals; and

f. 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 CEO or their designee, should maintain contact with the appropriate labor organization and monitor its progress to conclusion.

The CEO should provide notifications to the appropriate components to change written directives to conform with legal decisions, or submit information for inclusion in a training bulletin or in-service training sessions.

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) (LE1)
Chapter 26 Introduction

The elements of an effective disciplinary system should include training, rewarding, counseling, and punitive actions in the interest of discipline. The ultimate goal of the disciplinary system is to correct the behavior or performance of the employee. Training, counseling, and punitive actions should be designed to restore professionalism, which ultimately supports the integrity of the agency and the employee. 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. Rewarding exceptional work performance, including meritorious and heroic acts, provides employees recognition of their outstanding contribution to the success of the agency.

The internal affairs function is important for the maintenance of professional conduct in a law enforcement agency. Standards in this section are a direct reflection of the importance of the internal affairs function. The honor and veracity 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.

Standards in this chapter assume large agencies will utilize a specialized organizational component, usually as a part of the office of the chief executive, responsible for internal affairs matters. In 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 internal affairs matters of lesser importance investigated by supervisory personnel.

In smaller agencies, use of a specialized unit may not be possible or practical. The internal investigation function 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.
26.1.1 (LE1)

(M M M M) (LE1) Code of Conduct

A written directive specifies a code of conduct, which is 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 use of equipment. Prohibitions should be specific, whereas approved behavior may be stated in general terms, e.g., courtesy, punctuality. The code of conduct may be in the form of rules and regulations. (M M M M) (LE1)
26.1.3 (LE1)

(M M M M) (LE1) Harassment

A written directive prohibits all 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 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.

Supervisors should ensure that the workplace has an environment free from discrimination and all harassment. They should take prompt and appropriate corrective action when they observe or are made aware of conduct that may be interpreted as discrimination or any form of harassment (to include sexual harassment) regardless of an informal or formal complaint.

When employees, other than victims, become aware of conduct believed to be harassment or discrimination, whether or not the conduct is directed at them, by another employee, they should report the incident to their supervisor. (M M M M) (LE1)
26.1.4 (LE1)

(M M M M) (LE1) Disciplinary System

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 promote employee morale and motivation.

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

The written directive should provide guidelines regarding alternatives to be considered in counseling. The directive should also provide guidance concerning the recording of the purpose and effect of the counseling experience. The goal of counseling is to change negative behavior before punitive discipline is necessary.

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 actions. Some agencies specify a range of punishments for various violations or specific punishments in specific situations; where these are established, employees should be so informed. (M M M M) (LE1)
26.2.1 (LE1)

(M M M M) (LE1) Complaint Investigation

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 source. Anonymous complaints can be difficult to investigate; however, the agency should carefully review each complaint for validity before disregarding it for lack of a credible complainant. (M M M M) (LE1)
26.2.2 (LE1)

(M M M M) (LE1) Records, Maintenance and Security

A written directive requires the agency to maintain a record of all complaints against the agency or employees and to protect the confidentiality and security 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 during and after investigations to maintain the integrity of information. 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) (LE1)
26.2.4 (LE1)

(M M M M) (LE1) Complaint/Commendation Registering Procedures

The procedures to register complaints against or commend the agency or its employees are made available to the public.

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. (M M M M) (LE1)
26.3.2 (LE1)

(M M M M) (LE1) CEO, Notification

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. (M M M M) (LE1)
26.3.3 (LE1)

(M M M M) (LE1) Investigation Time Limits

A written directive specifies a time limit for completing an internal affairs investigation, with provisions for extensions.

Commentary

None. (M M M M) (LE1)
26.3.5 (LE1)

(M M M M) (LE1) Statement of Allegations/Rights

When employees are notified 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) (LE1)
Chapter 31 Introduction

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 in this chapter have embraced several important philosophical concepts. The first concept is the expectation that an accredited agency will provide all applicants an equal opportunity for employment. By providing an equal opportunity for employment, the agency focuses on the removal of barriers that prevent people from being treated fairly for employment purposes.

The second concept is the expectation that sworn personnel in the agency will be representative of the available workforce in the service community, relative to its ethnic and gender composition. The recruitment plan will include proactive steps to encourage members of underrepresented groups, to seek employment opportunities with the agency.

Under the CALEA Law Enforcement 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.

Recruitment activities should be regularly conducted regardless of position vacancies in an agency. Continuous recruitment provides information to the available workforce about career opportunities that may be offered by the agency in the future. As vacancies develop, the agency may increase recruitment efforts; however, a basic level of recruitment activity should be continuously maintained. Establishing an ongoing presence at colleges, job fairs, or other appropriate locations helps create relationships within the potential workforce and also creates a positive image for the agency.

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. Jurisdictions may differ in a variety of unique and important ways regarding personnel selection; however, basic principles exist for the development of an efficient, effective, and fair selection process. The ultimate outcome of a fair and effective selection process is the appointment of the best individuals shown to possess the knowledge, skills, and abilities (KSA) to perform their duties in a 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.

Some agencies are statutorily required to utilize specific governmental entities, such as civil service commissions, to manage personnel issues, including the selection of law enforcement personnel. These agencies are obligated to comply with all applicable statutes and policy directives pertaining to the functions and responsibilities of these governmental entities. Compliance with applicable standards may be reliant upon the regulatory boundaries and statutory limitations imposed on the agency; however, the agency should ensure every reasonable effort is made to achieve standards compliance, consistent with the Guiding Principles described in Appendix B.
Recruitment Plan

The agency has a recruitment plan for full-time sworn personnel outlining the steps to achieve the goals of an ethnic, racial, and gender workforce composition in approximate proportion to the available workforce in the agency's service community to include the following:

- a. statement of objectives;
- b. plan of action designed to achieve the objectives identified in bullet a; and
- c. identify employees, inside or outside the agency, responsible for plan administration.

Commentary

Recruitment steps should be directed toward the goal of approximating within the sworn ranks the demographic workforce composition of the community that it serves with regard to ethnic, cultural, racial, and gender makeup. Additionally, the plan should consider language, life experience, and cultural background with the goal of employing sworn personnel who understand effective approaches in dealing with all communities. The recruitment plan should be very specific with regard to the stated objectives and should clearly outline specific steps to be taken to achieve the objectives. The recruitment plan should also identify agency employees/position responsible for the administration of the recruitment process or identify other employees or positions with recruitment responsibility.

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, and analysis of geographic 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 objectives of a recruitment plan should be reasonable, obtainable, and directed toward the goal of achieving a sworn workforce that is representative of the composition of the available workforce it serves. The specific action steps contained in the agency's recruitment plan should be reasonable and 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:

- Identifying impediments and articulating specific steps taken based on an analysis to overcome those impediments;
- Utilizing diverse personnel who are fluent in the community's non-English languages and are aware of the cultural environment, where this would be applicable;
- Depicting females and representatives of ethnic/cultural/race minority groups in law enforcement roles in the agency's recruitment literature;
- For other than national agencies, conducting recruitment activities outside of the agency's jurisdiction to attract viable law enforcement candidates; and
- Establishing relationships with organizations in the community who represent targeted groups.

Statistics on the composition of the workforce in the agency's service community are generally available from national government agencies responsible for labor statistics. For the purposes of this standard, available workforce may be determined by considering several factors; for example, the residential make up population, community workforce characteristics, and applicant demographics.

Commission Interpretation (March 24, 2012)—The Commission recognizes legislation impacts the legality of efforts associated with this standard. As an example, Canadian legislation prohibits the collection of candidate ethnic, racial, or gender information and the respective recruitment plan will only seek to attract the...
most qualified candidates. To that end, agencies outside the United States of America that have controlling legislation contrary to the intent of this standard shall provide such legislation as a written directive and adhere to that legislation. In all cases, international agencies shall comply with the standard in totality, except those parts governed by the controlling legislation.
31.4.1 (LE1)

(M M M M) (LE1) Selection Process Described

Written directives describe all elements and activities of the selection process for all full-time and part-time positions.

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 governing personnel system, 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) (LE1)
31.5.1 (LE1)

(M M M M) (LE1) Background Investigations

A background investigation of each candidate for all positions is conducted prior to appointment and includes:

a. verification of qualifying credentials;
b. criminal history report;
c. verification of personal and professional references;
d. education verification;
e. employment history; and
f. a review of relevant national or state decertification resources if available.

Commentary

The focus of any pre-employment background investigation should be to ensure the employment of personnel that complement the agency's mission, purpose, and values. Law enforcement agencies should strive to apply employment processes that clearly identify good community servants that have the capacity to provide service in an ethical and effective manner. Prior work experience and personal experiences provide a sound perspective on the candidate's ability to work in the public safety environment. Additionally, the National Decertification Index (NDI) and other state resources published by states are good resources to apply to determine prior public safety certification status of candidates.

It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. Background investigations for sworn law enforcement positions 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) (LE1)
31.5.7 (LE1)

(M M M M) (LE1) Emotional Stability/Psychological Fitness Examinations

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.

Commentary

None. (M M M M) (LE1)
Chapter 33 Introduction

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, 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 personnel 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 accountable for the actions of their personnel and responsible for providing initial or remedial training that complements industry accepted best practices.

Training programs should ensure that the needs of the agency are addressed and 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 these curriculums. Program development should provide for input from several sources, including agency personnel in general, a training committee, the inspections function, and finally, the agency’s chief executive officer. Training programs should also ensure the needs of community or service area are considered and incorporated.

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 personnel. Although higher education does not unilaterally address the broader needs of an agency or its staff, personnel who have achieved post-secondary educational attainments are generally better prepared to gain a more thorough understanding of society, to communicate effectively with citizens, and to engage in the exploration of new ideas and concepts that support the mission, purpose, and values of public safety agencies.
33.1.5 (LE1)

(M M M M) (LE1) Remedial Training

A written directive establishes agency policy concerning remedial training to include:

a. documentation of remedial training provided; and

b. timeframes for remedial training.

Commentary

The directive should include the circumstances and criteria used to determine the need for remedial training, the timeframes 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 training in other than recruit training and should comment on the relationship between the inspections and training functions. (M M M M) (LE1)
33.1.6 (LE1)

(M M M M) (LE1) Employee Training Record Maintenance

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) (LE1)
33.4.1 (LE1)

(M M M) (LE1) Recruit Training Required

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) (LE1)
33.4.2 (LE1) Recruit Training Program

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

a. a curriculum based on tasks of the most frequent duties of sworn personnel who complete recruit training; and

b. use of evaluation techniques designed to measure competency in the required knowledge, skills, and abilities; and

c. an orientation handbook issued to all new recruit personnel at the time academy training begins.

Commentary

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) (LE1)
33.4.3 (LE1)

Field Training Program

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 160 hours for trainees, outside of 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 the job" experiences either during or following the completion of academy classroom training. A minimum 160-hour period permits time for rotation of recruits among various field assignments.

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 academy training and should be as carefully organized, administered, and evaluated as classroom training. The field training program should be closely aligned 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 knowledge, skills, and abilities to be assessed, taught, or performed. (M M M) (LE1)
33.5.1 (LE1)

(M M M M) (LE1) Annual In-Service Training Program

A written directive requires all sworn personnel to complete an annual in-service training 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 annual (in-service) program should be structured to motivate experienced officers and to further the professionalism of the agency. In-service training may also be designed to provide supervisory, management, or specialized training to participants. In-service training 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 in-service training is included on promotional examinations.

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; 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. Time sensitive standard. (M M M M) (LE1)
33.5.3 (LE1) Accreditation Training

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; and

b. to all agency personnel during the self-assessment phase associated with achieving initial accreditation.

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 accreditation, the accreditation process, the goals and objectives of accreditation, 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 CALEA conferences and accreditation support network meetings. (M M M M) (LE1)
33.6.2 (LE1)

(M M M M) (LE1) Tactical Team Training Program

If the agency has or 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. (M M M M) (LE1)
33.8.2 (LE1)

(M M M M) (LE1) Skill Development Training Upon Promotion

The agency provides job related training to all newly promoted personnel.

Commentary

Training should be provided that is commensurate with the new duties and should take place prior to promotion, if possible, or otherwise within the first year following promotion. (M M M M) (LE1)
Chapter 34 Introduction

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 a grievance and/or 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 knowledge, skills, and abilities required to perform at that level.
34.1.1 (LE1)

(M M M M) (LE1) Agency Role, Authority and Responsibility

A written directive defines the promotion process for personnel, and specifies identifiable positions with the authority and responsibility for administering the process.

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.

Although the written directive should identify a position, or positions, 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) (LE1)
Chapter 35 Introduction

To achieve its stated objectives, a law enforcement agency must be able to depend on the satisfactory work performance of each employee. Performance evaluation is the measurement and documentation of an employee's performance of defined duties and responsibilities against established standards for the respective position. This evaluation is conducted by supervisory personnel who have received the required rater training and any other additional training provided. They should apply the principles of sound performance evaluation in a manner that complements the organization's mission, purpose and values.

There is a direct relationship between performance evaluation and the employee's upward mobility especially in the areas of career development and promotions. 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.

It is important the principles of evaluation be applied by all enrolled agencies to effectively maximize the use of personnel, to identify that personnel issues so they can be and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of each employee. In addition, performance evaluations should afford supervisors an opportunity to direct and maintain efforts designed to improve individual performance, as well as to identify needs and formulate training to benefit the agency as a whole.

Foundationally, each employee should be provided clear work duties and responsibility, and evaluation rating dimensions should be specifically tied to these attributes. In all cases, the rating dimensions should be job related and the system of evaluation should be communicated to the affected employee. Attention by management is needed to eliminate error and biases on the part of supervisors rating the performance of their subordinates. The key to successful operation of the performance evaluation system will always be the chief executive officer, who must monitor its effectiveness to ensure that it is fair and impartial and is achieving established objectives consistent with sound personnel management.
35.1.2 (LE1) (M M M M) (LE1) Annual Evaluation

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.

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 employees with job-related feedback that promotes professional growth and development in a manner that complements the organization's mission, purpose and values. This standard does not provide exemptions for command personnel appointed by the chief executive officer. Time sensitive standard. (M M M M) (LE1)
35.1.9 (LE1)

(M M M M) (LE1) Personnel Early Intervention System

A written directive establishes a Personnel Early Intervention System to identify agency employees who may require agency intervention efforts. The directive shall include:

a. definitions of employee behaviors or actions to be included for review;
b. threshold or trigger levels to initiate a review of employee actions or behavior;
c. a review of identified employees, based on current patterns of collected material, that is approved by the agency CEO or designee;
d. agency reporting requirements of conduct and behavior;
e. documented annual evaluation of the system;
f. the responsibility of supervisors;
g. remedial action; and
h. some type of employee assistance such as a formal employee assistance Program, peer counseling, etc.

Commentary

The Personnel Early Intervention System serves as the framework for establishing sound review processes in support of agency personnel. However, the identification alone fails to address the issue(s) of identified personnel. To this end, it is important to develop action plans to ensure the identified personnel have access to resources to effectively meet their job duties. Each agency will have different resources for this type of programming. However, it is important to consider both internal and external sources when developing comprehensive intervention plans. These plans should also consider prior efforts to remedy concerns and work in concert with other agency endorsed actions.

The early identification of employees that may require additional training or remedial action can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The agency's system should be initiated when certain types of incidents or conduct reach predetermined levels. An evaluation of information related to the employee's performance and behavior should be conducted. Such information may include, but not necessarily be limited to: agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs investigations, attendance records, and on-duty accidents and injuries to determine what level of intervention is required.

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 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.

The agency should evaluate the type of system used to determine if it meets the needs of the agency in identifying potential issues involving its employees. Systems used vary, and may be vendor provided or developed by the agency within existing resources.

The documented actions of supervisors are crucial elements to a successful system and should be emphasized in the agency's procedures. Annual evaluations should consider the impact of benchmarks for activation of the system, findings and results of actions, value of available resources and impact of usage, review of key attributes for system activations, and the overall effectiveness of the system in advancing its key objectives. Time sensitive standard. (M M M M) (LE1)
Chapter 40 Introduction

Standards in this chapter relate to the crime and intelligence analysis functions as performed by sworn and non-sworn analysts, both with and without specialized training and/or skills. The process of crime and intelligence analysis generally applies to a system of utilizing regularly collected information regarding reported crimes and criminal data, with a focus on preventing or suppressing crime, as well as apprehending criminal offenders. Specifically, crime analysis is a law enforcement function whereby data relating to crimes are collected, evaluated, analyzed, and disseminated. Intelligence analysis is the systematic collection, evaluation, analysis and dissemination of information on criminals, with consideration for criminal associations and organized criminal activities.

Data relevant to this functional subject may be generated from public and restricted records, and include reports resulting from traditional law enforcement operations. Furthermore, data or applicable information may be obtained from outside sources, such as other law enforcement agencies, components of the criminal justice system, governmental and non-governmental entities, and various other resources.

Critical to these activities is the collection and generation of valid and reliable information with predictive capacities of future criminal occurrences. This may include, but is not limited to the frequency of occurrences and the extent to which events are associated. Crime and intelligence analysis should provide useful information to aid operational personnel in meeting crime prevention and control objectives, by identifying and analyzing the methods of operation of criminal elements and providing crime pattern indications. Crime and intelligence analysis may also be useful for long-range planning efforts, to include forecasting future crime trends and assisting in the identification of organizational priorities or design. Law enforcement leaders and practitioners may find applications for the use of such information regarding media relations, tactical planning, investigations, grant support, and the management of special events or occurrences.

In addition to the incorporation of sound techniques and strategies as it relates to crime and intelligence analysis, this chapter reflects the importance of legal considerations regarding the collection, dissemination and retention of such information. Specialized training of personnel regarding this issue should be considered by agencies to ensure compliance with state and federal regulations, as well as for the purpose of admissibility in criminal prosecutorial efforts.
40.2.3 (LE1)

(M M M M) (LE1) Criminal Intelligence Procedures

If the agency collects criminal intelligence, a written directive addresses its processing and sharing with appropriate entities, to include:

a. purpose and responsibility of personnel;
b. procedures for safeguarding, securing, and storing information;
c. requirements and procedures for the distribution of information;
d. procedures for purging information; and
e. annual review of procedures and processes.

Commentary

The intent of this standard is to document agency accountability for the collection and sharing of information and events qualifying as criminal intelligence information.

Intelligence-gathering activities are important in all agencies. All agencies, regardless of size, should 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 standard still apply. It is recommended that agencies utilize specific file procedures as a check and balance against inappropriate activities. The collection/submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and 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.

When intelligence has no further informational value and/or meets the criteria of any applicable law, it should be destroyed. Out-of-date or incorrect information should be amended to correct the original information. Intelligence files should be purged on an annual basis in accordance with federal regulations.

Agencies should leverage national and international information sharing initiatives including INTERPOL. Time sensitive standard. (M M M M) (LE1)
Chapter 41 Introduction

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 law enforcement personnel 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.
41.1.5 (LE1)

(M M M M) (LE1) Police Service Canines

A written directive governs agency-owned or controlled canines, and includes the following provisions for each animal:

- authorization, conditions, and limitations on usage;
- qualifications and training for personnel assigned to control the animal(s);
- documentation requirements for all training;
- the process for 24-hour care and maintenance for the police canine;
- a listing of equipment required; and
- provisions for the collection of deployment data including defined use of force.

Commentary

The written directive governing agency owned or controlled police canines should include the following provisions: definition of the personnel or the position assigned to work and/or control the police dog, including the qualifications for the selection of the personal for the position assigned to work and/or control the police dog. The directive should outline the responsibilities for the care and maintenance of the dog by the agency and the personnel assigned to the position of working and controlling the police dog on a 24-hour basis. This should also include whether the dog is housed and cared for by the handler after duty hours or is boarded at a location other than the residence of the handler.

Agencies should review applicable case law related to compensation issues that may arise between the agency and the personnel assigned to provide care and maintenance of the police dog beyond the on-duty hours of the handler.

Other considerations should include the service(s) or various disciplines provided by the dog(s) and the initial training curriculum and qualifying/evaluation standards for each discipline for which the dog is used.

If agencies utilize canines that are trained to bite, special considerations should be made. The directive should define when a verbal announcement will be given as a warning to a person(s) that the police dog will be used to bite. It should also outline provisions for an exception to using the verbal announcement/warning prior to the dog being used to search for and/or bite. An exception to announcing the canine warning must clearly state the articulable facts which reasonably denotes an element of increased risk to officer safety.

The process for recording/documenting all canine bites, including injuries to a person who has been bitten, should be outlined. (M M M M) (LE1)
41.2.1 (LE1)

(M M M M) (LE1) Responding Procedures

A written directive establishes procedures for responding to non-emergency and emergency calls. To include:

a. defining non-emergency calls;

b. defining emergency calls

c. prioritization of call types for response; and

d. guidelines for the use of authorized emergency equipment.

Commentary

At a minimum, the agency should classify calls for service as non-emergency 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. (M M M M) (LE1)
41.2.2 (LE1) Pursuit of Motor Vehicles

A written directive governs pursuit of motor vehicles, to include:

a. evaluating the circumstances;

b. defining the criteria under which pursuit can be initiated;

c. initiating unit/personnel responsibilities;

d. designating secondary unit’s responsibilities;

e. specifying roles and restrictions pertinent to marked, unmarked, or other types of police vehicle involvement in the pursuit;

f. assigning telecommunicator’s responsibilities;

g. describing supervisor’s responsibilities;

h. specifying when to terminate pursuit;

i. specifying authority to terminate pursuit;

j. engaging in inter- and intra-jurisdictional pursuits involving personnel from the agency and/or other jurisdictions;

k. requiring a written report and an administrative review of each pursuit; and

l. conducting a documented annual analysis of pursuit reports, to include a review of policy and reporting procedures, approved by the agency CEO.

Commentary

Vehicle pursuits pose a high risk for officers and the community. The agency should have explicit 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, modifications, and/or the additional or deletion of applicable equipment. The absence of pursuit reports does not remove the requirement of reviewing the policies, procedures, and practices associated with the reporting process. Time sensitive standard. (M M M M) (LE1)
41.2.3 (LE1)

(M M M M) (LE1) Roadblocks and Forcible Stopping

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. Time sensitive standard. (M M M M) (LE1)
41.2.4 (LE1)

(M M M M) (LE1) Notification Procedures

A written directive specifies the circumstances and establishes procedures for notifications by first responder units 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) (LE1)
41.2.5 (LE1)  
(M M M M) (LE1) Missing Persons

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. the criteria for activation of an alert system for notification to the public;
e. follow-up contact with the reporting persons;
f. follow-up investigation and search; and
g. any special considerations applicable to critically missing or at-risk persons.

Commentary

Law enforcement agencies should give special considerations to missing person cases involving the persons who are suffering from mental health issues, including the use of various types of alert systems or tracking devices. Silver Alerts and local phone notification alert systems are often utilized to notify the public of a missing person in an effort to assist law enforcement efforts. Various tracking devices may be used by law enforcement in conjunction with volunteer groups to locate and search for persons suffering from Alzheimer's disease, dementia, physical or mental health impairments, or those incapable of identifying themselves. (M M M M) (LE1)
41.2.6 (LE1) Missing Children

The agency has a written directive concerning missing children, including runaway, abandonment, abducted, or other missing status, that includes the following:

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 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 other law enforcement agencies, social services, and the media. Prompt and systematic searches are common features of missing child investigations.

Proper recovery and case closure may need to involve more than just notifying proper authorities that the missing child had been found. 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. (M M M M) (LE1)
41.2.7 (LE1)

(M M M M) (LE1) Mental Health Issues

The agency has a written directive regarding the interaction of agency personnel with persons suspected of suffering from mental health issues that addresses:

a. guidelines for the recognition of persons suffering from mental health issues;

b. procedures for accessing available community mental health resources;

c. specific guidelines for personnel to follow in dealing with persons they suspect suffer from mental health issues during contacts on the street, as well as during interviews and interrogations;

d. documented entry level training of agency personnel; and

e. documented annual refresher training.

Commentary

Police interaction with persons exhibiting mental health issues can pose significant challenges for responding personnel. The intent of this standard is to require that the agency provide guidance to its personnel in dealing with persons suspected of suffering from mental issues. While the most serious consequences of with the mental health issues are altercations or armed confrontations by sworn personnel, other agency personnel who may come in contact with the public also need guidance and training in dealing with the mentally ill. The agency should consider the Crisis Intervention Team (CIT) approach for such response. Responding personnel need to be well equipped to handle situations that may not be criminal or unlawful in nature but pose a risk to the community if not addressed.

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 annually.

Alternatives to arrest such as citations, summonses, referrals, informal resolutions, and warnings should be considered to ensure the best treatment options are used and to keep those with mental health issues out of the criminal justice system. Time sensitive standard. (M M M M) (LE1)
41.3.2 (LE1)

(M M M M) (LE1) Equipment Specification/Replenishment

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 personnel. Items such as a first-aid kit, tactical trauma 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 patrol personnel 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 patrol personnel and supervisors with ensuring that vehicles are properly stocked, as well as proving compliance with this standard. (M M M M) (LE1)
41.3.5 (LE1)

(M M M M) (LE1) Protective Vests

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 the safety of law enforcement personnel. Protective vests should afford protection consistent with the threat to which sworn personnel are exposed. Care should be given to proper fit and hygiene regarding the use and issuance of vests. 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) (LE1)
41.3.6 (LE1)

(M M M M) (LE1) Protective Vests/Pre-Planned, High Risk Situations

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) (LE1)
41.3.8 (LE1)

(M M M M) (LE1) In-Car and/or Body-Worn Audio/Video

If the agency employs in-car and/or body-worn cameras, a written directive includes:

a. policy statement on purpose and organization philosophy regarding use;

b. requirements and restrictions for activation and deactivation of the device;

c. criminal and administrative use of camera captured data;

d. data storage and retention requirements;

e. equipment maintenance and inspection procedures;

f. training requirements for users and supervisors; and

g. requirements for documented review of camera captured data including frequency and quantity.

Commentary

The use of in-car and/or body-worn audio/video recording devices within the general operational police environment provides a potentially valuable resource for law enforcement agencies in the delivery of services. Additionally, information collected through this technology can be critical in the investigation of criminal incidents and complaints against employees. Quasi-experimental research in some agencies has shown reductions in uses of force and citizen complaints when these devices are employed appropriately, with proper direction and management.

It is important for agencies to consider the legal and privacy implications regarding the use of audio/video recording devices, as some state/provincial codes require dual awareness for recordings of this type to occur. This agency consideration must include the awareness of and compliance with applicable public records laws, including Freedom of Information Act provisions in effect in the agency's jurisdiction. Furthermore, the establishment of policy is critical to recognize enhanced organizational credibility that can be accomplished through the deployment. Requirements and restrictions for activation and deactivation of the device should include regular duty and extra duty settings. It is also critical to develop data review practices to prevent claims of negligent supervision, as well as confirm schedules of data retention. Organization consistency in the application of destruction procedures is important for legal considerations and community trust.

It is recommended that prosecutors be included in the development of policies related to the recording and retention of criminal investigations related activities. Training should be included for officers to ensure an understanding of the organization's philosophy on the use of recording devices, including limitations involving special circumstances, such as contacts with juveniles or other agency employees. Agency managers should consider employment contract issues impacted by the use of the devices and ensure clear messaging with relevant representatives. (M M M M) (LE1)
Chapter 42 Introduction

Standards in this chapter relate to the criminal investigation function as performed by both uniformed personnel and personnel 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 today's 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, and deter, criminal and terrorist activities, both domestically and internationally, as well as protect the security of the homeland and preserve the rights and freedoms of citizens.

Standards in this chapter are closely related to topical areas addressed in other chapters, including Vice, Drugs, Organized Crime, Crime Analysis and Intelligence, and Collection and Preservation of Evidence. Agencies may treat these functions independently or combine them according to their service needs. Other agencies, particularly smaller ones, may assign all of these responsibilities to the criminal investigation function.
42.1.3 (LE1)

(M M M M) (LE1) Case File Management

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) (LE1)
42.2.1 (LE1)

(M M M M) (LE1) Preliminary Investigations Steps

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 limiting the need for a follow-up investigation. The investigation usually includes the following tasks: protecting the crime scene to ensure that evidence is not lost or contaminated; determining whether an offense has actually been committed and, if so, the exact nature of the offense; 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; furnishing other field units, through the communications system, descriptions, method, and direction of flight, and other relevant information concerning wanted persons or vehicles; obtaining complete identification of all witnesses; determining what information is known by the victims and witnesses; arranging for the collection of evidence; determining in detail the exact circumstances of the offense; obtaining written statements from victims, witnesses, and if legally possible, from the suspect; agency provides checklists to aid in criminal investigations; and accurately and completely recording all pertinent information on prescribed report forms. The standard is not intended to preclude personnel conducting the preliminary investigation from being assigned to the follow-up investigation. (M M M M) (LE1)
42.2.6 (LE1)

(M M M M) (LE1) Informants

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. safety of informants;

g. precautions to be taken with informants; and

h. special precautions to be taken with juvenile informants.

Commentary

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.

Care should be given not to expose informants to unnecessary safety risk. 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. When using juvenile informants, agencies are strongly urged to secure permission from a parent or legal guardian and properly document the approval.

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) (LE1)
42.2.8 (LE1)

(M M M M) (LE1) Interview Rooms

The agency has a written directive governing procedures for 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. use of video and audio recording equipment;
f. other equipment or items to be kept in the interview room or area; and
g. 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 personnel 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. (M M M M) (LE1)
Chapter 43 Introduction

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 sub-functions 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.
43.1.1 (LE1)

(M M M M) (LE1) Complaint Management

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) (LE1)
43.1.5 (LE1)

(M M M M) (LE1) Covert Operations

The agency has written procedures for conducting, or participating in, surveillance, undercover, and decoy operations to include:

a. authorization to conduct the activity;
b. supervision;
c. safety procedures; and
d. reporting requirements upon completion of the operation, if any.

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 personnel with the objectives and details of the operation, the neighborhood, or target area; determining operational procedures for observation, monitoring, and recording of arrests and high risk entries; supplying personnel with expense funds; establishing means of routine and emergency communication; providing relief, backup, security, and perimeter protection for personnel; supplying personnel 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. Personnel should be advised that certain types of undercover and decoy work may involve concealment or elimination of weapons or other equipment that does not allow for immediate activation consistent with regular training. (M M M M) (LE1)
Chapter 44 Introduction

The standards in this chapter are specially directed to support the delivery of juvenile/youth services within a law enforcement agency. This includes both investigative and prevention based activities.

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 criminal 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 personnel 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 various alternatives from which to choose when dealing with juveniles: they may release the offender to a parent or guardian and take no further action; they may refer the offender to an agency that can provide counseling or other diversion alternatives; or they may (in the case of serious offenders) refer the youth to court. 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 legal requirements. Evidence of adherence to legal requirements will be taken as evidence of compliance.
44.1.1 (LE1)

(M M M M) (LE1) Juvenile Operations Policy

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. Law enforcement agencies should strive to strengthen trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and law enforcement.

The function should be developed and operated to effectively meet agency needs. Proving compliance with this standard may be accomplished through a series of documents or a single, all inclusive directive. (M M M M) (LE1)
44.2.1 (LE1)

(M M M M) (LE1) Handling Offenders

A written directive requires that personnel dealing with juvenile offenders use the least coercive among reasonable legal alternatives and includes, at a minimum, provisions for the following:

a. release to a parent, legal guardian, or other responsible adult, with no further action;

b. criteria and procedures for issuing written citations or summonses to juvenile offenders in lieu of taking them into custody;

c. referral to another agency or service for potential diversion alternatives; and

d. referral to juvenile court.

Commentary

In keeping with the philosophy that the state should always act as a responsible parent toward a child, agencies should seek the least forceful alternative when disposing of cases involving juveniles.

The agency should have guidelines for making diversion decisions, taking into consideration such factors 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.

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.

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.

Other cases that may require formal legal processing 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.

Applicable legal requirements may be incorporated into the written directive to demonstrate compliance with the standard. (M M M M) (LE1)
44.2.2 (LE1) Procedures for Custody

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 the rights of juveniles are protected;

d. bringing juveniles to the processing or detention facility without delay (unless a juvenile is in need of emergency medical treatment); and

e. notifying parents or guardians.

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 as well as arrest.

Agency procedures should also specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody, to include provisions to minimize in-custody periods. (M M M M) (LE1)
44.2.3 (LE1)

(M M M M) (LE1) Custodial Interrogation and Non-Custodial Interviews

A written directive describes the procedures for the following:

a. custodial interrogation of juveniles; and

b. non-Custodial interviews 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 juvenile's confession is voluntary, the following factors are often considered; age, intelligence, educational background, mental capacity, including whether the juvenile was nervous and his/her physical condition, prior experience in the criminal system, whether the juvenile was suffering from any injury or pain at the time the statement was given, the duration of the questioning, time of day, whether the juvenile was tired and is desirous of sleep, length of confinement, whether police caution warnings were given, when, and whether the juvenile understood them, whether the room was of sufficient size and supplied with appropriate furniture, whether the juvenile was handcuffed or threatened, whether the juvenile was refused the use of bathroom, food, or drink, whether there was a promise of leniency, whether the juvenile understood the interrogation process, whether a youth officer was present during the interview, whether the parents were notified, whether the juvenile asked for a parent to be present, whether the police prevented a concerned adult from speaking with the juvenile, and familiarity with the language used in questioning.

Interviews of juveniles should be done with consideration of the juvenile's age, mental state, or other factors or influences experienced by the juvenile. (M M M M) (LE1)
Chapter 46 Introduction

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 follows the structure of the National Incident Management System (NIMS); which includes the incident command system as a component. These principles are best practice and can be adapted internationally for response to critical incidents.

The special operations encompasses the use of a tactical team, negotiation with hostage takers or barricaded persons, coverage of special events, protection of VIPs, and search-and-rescue missions.

In many agencies, these special operations may be grouped in formally organized components that provide resources and expertise at a level that could not be achieved otherwise. Other agencies may choose to establish a part-time component, or work cooperatively with other agencies to accomplish the objectives of this chapter.

Every agency must have a written plan(s) that outlines the procedures for how the situation will be handled. Agencies may use a single, comprehensive manual or multiple resources to demonstrate compliance with these standards.
46.1.1 (LE1)

(M M M M) (LE1) Planning Responsibility

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) (LE1)
46.1.2 (LE1)

(M M M M) (LE1) All Hazard Plan

The agency has a written All Hazard Plan for responding to critical incidents. The plan will follow standard Incident Command System (ICS) protocols, which include functional provisions for: command, operations, planning, logistics, and finance/administration.

Commentary

The Incident Command System has proven very effective in law enforcement and fire services emergencies. 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 in 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 Incident Command System establishes standardized incident management processes, protocols, and procedures that all responders can use to coordinate and conduct response actions. With responders using a common terminology 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.

Law enforcement agencies should create policies and procedures for mass demonstrations that employ a continuum of managed tactical resources. Additionally, implementation of appropriate technology by law enforcement agencies should be designed considering local need and aligned with national standards. (M M M M) (LE1)
**46.1.3 (LE1)**

(M M M M) (LE1) Command Function

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 unified command, if necessary;

f. establishing a staging area, if necessary;

g. providing public information and maintaining media relations;

h. maintaining the safety of all affected personnel; and

i. preparing a documented after action report.

Commentary

The concepts outlined in the Incident Command System provide the necessary tools to manage an incident of considerable size and extended operational periods. It is recognized that not all incidents rise to the level where the entire ICS requires activation. The concepts outlined above allow an agency to manage smaller scale incidents while maintaining command and control consistent with ICS. Unified command, which typically includes law enforcement, fire services, EMS and other required public safety agencies, has proven to be a key element in providing a coordinated effort to ensure consistency and avoid duplication of effort.

Personnel from the various agencies involved (public utilities, public works, fire, EMS, police, public transportation, PIO's, etc.) should have a representative involved in the unified command. Conducting tabletop exercises provides an opportunity for agencies, in a cost effective fashion, to engage in the necessary relationship building and discussions to establish appropriate mitigation, response, and recovery capabilities and build a cohesive unified command system. FEMA states that the intended purpose of a tabletop exercise (TTX) is to generate discussion of various issues regarding a hypothetical, simulated emergency. In addition, a full scale exercise allows for the participants to activate the ICS command function and utilize those directives, equipment, and personnel that would be used in an actual incident. Time sensitive standard. (M M M M) (LE1)
46.1.4 (LE1)

(M M M M) (LE1) Operations Function

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) (LE1)
46.1.5 (LE1)

(M M M M) (LE1) Planning Function

At a minimum, the planning function will address the following:

a. preparing a documented incident action plan;
b. gathering and disseminating information and intelligence;
c. participating in a Continuity of Operations Plan (COOP)/Continuity of Government Plan (COG); and
d. 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.

COOP/COG planning is an effort to assure that the capability exists to continue essential agency functions throughout any potential emergency. The primary objectives of this plan are to ensure the continuous performance of a department or agency's essential functions/operations during an emergency, protect essential facilities/equipment/vital records/and other assets, reduce or mitigate disruptions to operation, assess and minimize damage and losses, facilitate decision-making during an emergency, achieve a timely and orderly recovery from an emergency, and resumption of full service to the community. (M M M M) (LE1)
46.1.6 (LE1)

(M M M M) (LE1) Logistics Function

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) (LE1)
46.1.7 (LE1)

(M M M M) (LE1) Finance/Administration Function

At a minimum, the finance/administration function will address the following:

   a. recording personnel time;
   b. procuring additional resources;
   c. recording expenses;
   d. documenting injuries and liability issues; and
   e. preparing appropriate reimbursement documents, if applicable.

Commentary

The finance and administrative function is responsible for all financial and cost analysis aspects of the critical incident. (M M M M) (LE1)
46.1.9 (LE1)

(M M M M) (LE1) All Hazards Plan Training

A written directive provides for:

a. documented annual training on the agency's All Hazards Plan, to include the Incident Command System (ICS) for affected agency personnel; and

b. documented biennial training consisting of a tabletop or full-scale exercise to assess the agency's capabilities with the All Hazards Plan and the Incident Command System.

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 ensure 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 ordinary law enforcement mission is often handled with few personnel, 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.

Tabletop exercises are an economical way to test the operational capabilities of an agency, while ensuring that key personnel are well versed in the agency's All Hazards Plan. Full scale operational exercises may be used to further assess the agency capabilities, but are not required.

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.

The agency should also consider the effect of this standard on other standards that address command protocol and require coordination and authority. Time sensitive standard. (M M M M) (LE1)
46.1.10 (LE1)

(M M M M) (LE1) Active Threats

The agency has a written directive addressing active threats to include:

a. public notifications for awareness and safety;

b. notification of additional public safety departments and other resources;

c. response to threats when lives are in imminent danger;

d. public sheltering and containment of the incident; and

e. documented annual review of policy and training needs.

Commentary

Situations involving active threats are serious in nature and can occur in any environment. This may include such settings as educational campuses, malls, businesses, special events, the general workplace, and can include physical or virtual threats. The agency, along with other public safety agencies and response resources, should develop specific plans and actions for responding to these situations. Training should be provided and may be incorporated into the annual All Hazard training requirement. Time sensitive standard.

(M M M M) (LE1)
46.2.7 (LE1)

(M M M M) (LE1) Special Events Plan

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) (LE1)
46.3.2 (LE1)

(M M M M) (LE1) Hazmat Awareness

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) (LE1)
Chapter 54 Introduction

Standards in this chapter relate to the development and implementation of policies that support the appropriate release of public information. Agencies have an obligation to inform the public of events that affect the lives of citizens in the community. This must be accomplished with transparency and candor to maintain the public’s trust and confidence. Policies should consider contemporary resources as tools for accomplishing this objective and care should be given to coordinate the release of information when multiple agencies are involved.

Furthermore, when serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

To convey information, agencies often rely on the media. Policies should be developed that govern what information should be released, when it should be released, and by whom it should be released. Agencies should consider a combination of a proactive approach and reactive methods to providing information to citizens through not only local media sources, but also through the use of social media. 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.
54.1.3 (LE1)

(M M M M) (LE1) Media Access

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. (M M M M) (LE1)
Chapter 61 Introduction

Standards in this chapter govern the processes and procedures that enable the agency to execute its traffic safety 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, responsibilities for particular functions may be assigned to patrol or other specialized functions.

The agency's activities are specifically directed toward enhancing traffic safety by 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 collisions/crashes, include providing emergency assistance to the injured, protecting the collision/crash 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 traffic engineers employed by the local, state/provincial or national agency responsible for highways and other modes of transportation. 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.
61.1.2 (LE1)

(M M M M) (LE1) Uniform Enforcement Procedures

A written directive establishes uniform procedures for taking enforcement action incidental to traffic law violations, to include:

a. physical arrest;

b. citation or notice to appear; and

c. warnings, if any.

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 non-punitive enforcement actions should be substituted for arrests or citations when appropriate, especially in the case of inadvertent violations. Agencies should prohibit practices requiring officers to issue a predetermined number of citations, arrests, or summonses, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety. (M M M M) (LE1)
61.1.3 (LE1)

(M M M M) (LE1) Violator Procedures

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 legal mandate. (M M M M) (LE1)
61.1.4 (LE1)

(M M M M) (LE1) Informing The Violator

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 personnel 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) (LE1)
61.1.5 (LE1)

(M M M M) (LE1) Uniform Enforcement Policies

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. moving violations;
d. non-moving violations;
e. public carrier/commercial vehicle violations;
f. multiple violations;
g. newly enacted laws and/or regulations;
h. violations resulting in traffic collision/crash; and
i. 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 the judgment and discretion of police personnel, for it is impossible to foresee every conceivable situation involving traffic violations. In many circumstances, personnel must decide what enforcement, if any, is appropriate on the basis of a combination of training, experience, and common sense. (M M M M) (LE1)
61.1.7 (LE1)

(M M M M) (LE1) Stopping/Approaching

A written directive establishes procedures for motorist stops, to include:

a. unknown risk stops; and

b. high-risk stops.

Commentary

The agency should provide detailed instructions to personnel on procedures for making contact with offending motorists, methods for making effective stops that are safe for police 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) (LE1)
61.1.10 (LE1)

(M M M M) (LE1) DUI Procedures

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 the authority of law enforcement personnel. Therefore, detailed guidance should be provided to personnel 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 to or as an alternative to a breath test, incarceration or release to a responsible third party, and disposition of the arrestee’s vehicle. The agency should consider the use of Drug Recognition Experts (DRE) to further the enforcement of driving while under the influence of alcohol or drugs. (M M M M) (LE1)
61.3.2 (LE1)

(M M M M) (LE1) Direction/Control Procedures

A written directive specifies procedures for traffic direction and control to include the following, at a minimum:

a. procedures applicable at collision/crash scenes;
b. procedures applicable during periods of adverse road and weather conditions;
c. manual operation of traffic control devices;
d. use of temporary traffic control devices; and
e. 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) (LE1)
61.3.3 (LE1)

(M M M M) (LE1) Escorts

A written directive governs provisions for law enforcement vehicular escorts.

Commentary

The directive should specify the circumstances, both routine and emergency, under which vehicular escorts 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 escorts for oversize vehicles and hazardous cargo carriers.

Escorting privately-owned 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, law enforcement personnel, and all other highway users. (M M M M) (LE1)
61.4.1 (LE1)

(M M M M) (LE1) Motorist Assistance

A written directive governs the provision of motorist 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 law enforcement personnel 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 motorists are directed or actually transported to a place of safety.

The directive should describe the role of law enforcement personnel in providing first aid, obtaining medical assistance, fighting fires, obtaining fire service assistance, and transporting members of the public. 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) (LE1)
61.4.2 (LE1)

(M M M M) (LE1) Hazardous Roadway Conditions

A written directive specifies procedures for taking action to correct hazardous roadway conditions.

Commentary

Roadway and roadside hazards are contributing factors in many traffic collisions/crashes. 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) (LE1)
61.4.3 (LE1)

(M M M M) (LE1) Towing

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.

Commentary

The directive should define the circumstances under which vehicles are towed.

Procedures are needed for removal or towing of vehicles that need to be removed from the roadway, 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 law enforcement personnel, a written record should be made of the time, date, location, involved personnel, 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) (LE1)
Chapter 70 Introduction

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 personnel 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.
70.1.1 (LE1)

(M M M M) (LE1) Pre-transport Detainee Searches

A written directive requires transporting personnel to search the detainee before being transported.

Commentary
Transporting personnel are 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. It should never be assumed that someone else has searched the detainee. Detainees should be searched each time they come into the custody of transporting personnel, 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. (M M M M) (LE1)
70.1.2 (LE1)

(MM MMM) (LE1) Searching Transport Vehicles

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 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 no weapons or contraband are present. Some latitude may be allowed where personnel have 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 personnel 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 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 responsibility of transporting personnel to ensure 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. Transporting personnel should have proper forms or credit cards for procurement of gasoline, as well as all detainee-related documentation. (MM MMM) (LE1)
70.1.6 (LE1)

(M M M M) (LE1) Procedures, Transport Destination

A written directive describes actions to be taken by transporting personnel at the detainee transport destination to include, at a minimum:

a. firearms security;

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 privacy considerations and any controlling legislation. The directive should ensure the transporting employee provides notification to the receiving facility of any potential medical, mental illness, or security issues. 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) (LE1)
70.1.7 (LE1)

(M M M M) (LE1) Procedures, Escape

A written directive describes actions to be taken by transporting personnel following an escape of a detainee while being transported, to include 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 transporting personnel to take action in recovering the detainee will depend on their legal authority in that jurisdiction. Time sensitive standard. (M M M M) (LE1)
70.1.8 (LE1)

(M M M M) (LE1) Notify Court of Security Risks

A written directive requires that the law enforcement 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 personnel for security while at the court. (M M M M) (LE1)
70.2.1 (LE1)

(M M M M) (LE1) Detainee Restraint Methods

A written directive describes restraining devices and methods to be used during detainee transports with exceptions noted.

Commentary

It is necessary for personnel 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. 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. The chances of positional restraint asphyxia increase when the restrained detainee's normal breathing is affected, such as: when the detainee is restrained face-up or face-down with pressure on the back or chest; the restrained detainee violently struggles against personnel's restraint attempts; the restrained detainee is intoxicated; and chemical agents are deployed and affect normal breathing.

The directive should address transporting more than one detainee, and whether a detainee may 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 discretion available to personnel in their application.

Mentally disabled detainees may pose a significant threat to themselves and/or transporting personnel. 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) (LE1)
70.4.2 (LE1)

(M M M M) (LE1) Rear Compartment Modifications

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 transporting personnel.

Commentary

Cages, safety barriers, activating child safety locks, 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 non-driving personnel to be seated with the detainee if and when there are no physical barriers to minimize unauthorized exit. (M M M M) (LE1) Compliance may be OBSERVED.
Chapter 71 Introduction

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.
- Detainees in a courthouse or courtroom.
- Detainees in a jail.
- Detainees in rooms designed for interviews.

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.
71.1.1 (LE1)

(M M M M) (LE1) Designate Rooms or Areas

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

Safety of designated rooms and areas is essential. 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) (LE1)
71.2.1 (LE1)

(M M M M) (LE1) Training of Personnel

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 in-service training at least once every four 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, personnel safety issues should be a priority of the agency training for both initial and in-service training 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. Time sensitive standard. (M M M M) (LE1)
71.3.1 (LE1)

(M M M M) (LE1) Procedures

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;

e. the sight and sound separation by gender; and

f. the sight and sound separation of juveniles from adults.

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.

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.

(M M M M) (LE1)
71.3.3 (LE1)

(M M M M) (LE1) Security in Designated Temporary Detention Processing, and Testing Rooms/Areas

A written directive addresses the following security concerns in designated temporary detention rooms and processing areas:

a. weapons control;

b. panic or duress alarms;

c. authorized access to area and detainee, if any;

d. escape prevention;

e. constant supervision of detainees not contained in a secured temporary detention area;

f. face-to-face visual observation of secured detainees at least every thirty minutes; and

g. 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.

Agencies should address all weapons when creating the written directive. Consideration should be given to the introduction of firearms into the detention and processing areas. Directives should also be specific on which weapons, if any, are allowed into the detention cells and if any exceptions or conditions are permitted in emergencies, they are included in the directive. 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.

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.

Constant supervision of detainees not placed into a cell is necessary to maintain a safe environment. (M M M M) (LE1)
71.4.1 (LE1)

(M M M M) (LE1) Physical Conditions

A written directive establishes minimum physical conditions for temporary detention rooms 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) (LE1)
71.4.2 (LE1)

(M M M M) (LE1) Fire Prevention/Suppression

There is a plan for fire prevention, fire evacuation, and fire suppression for the temporary detention rooms.

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) (LE1)
**71.4.3 (LE1)**

(M M M M) (LE1) Inspections

A written directive governs the inspections of the temporary detention rooms and provides for the administrative review of temporary detention areas and procedures at least annually.

**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. Time sensitive standard. (M M M M) (LE1)
Chapter 74 Introduction

Many law enforcement agencies are mandated by law to serve warrants, summons, writs, and other official legal documents 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.

Depending on the source of legal authority, the types of legal documents to be served or executed vary among jurisdictions as do some of the agencies' accompanying responsibilities.

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 the agency's responsibilities 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, and accessibility, and fiscal accountability in the delivery of court documents. Responsibility for functions in this chapter may be shared throughout the agency, e.g., patrol, criminal investigation, communications, records, or provided by specialized components.
74.1.1 (LE1)

(M M M M) (LE1) Information, Recording

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. personnel 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. The use of a computerized records system is sufficient to meet this standard. (M M M M) (LE1)
Chapter 81 Introduction

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 public safety 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.

Each public safety communications system must be designed to fulfill the needs of the individual agency or agencies to which it provides services. 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.
81.2.1 (LE1)

(M M M M) (LE1) 24-Hour, Toll-Free Service

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) (LE1) Compliance may be OBSERVED.
81.2.2 (LE1)

(M M M M) (LE1) Continuous, Two-Way Capability

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) (LE1) Compliance may be OBSERVED.
81.2.3 (LE1)

(M M M M) (LE1) Recording Information

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

The agency should 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.

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) (LE1)
81.2.4 (LE1)

(M M M M) (LE1) Radio Communications Procedures

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) (LE1)
81.2.5 (LE1)

(M M M M) (LE1) Access to Resources

Communications personnel have immediate access to at least the following departmental resources:

a. officer in charge;
b. duty roster of all personnel;
c. 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 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) (LE1) Compliance may be OBSERVED.
81.2.6 (LE1)

(M M M M) (LE1) Calls for Service Information Victim/Witness Calls

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;

b. informing the caller of the agency's response, including direct law enforcement service and/or referral to other agencies; and

c. responding to victim/witness requests for information and/or services to include initial and subsequent requests.

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) (LE1)
81.2.7 (LE1)

(M M M M) (LE1) Recording and Playback

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 requirement that recordings be retained for a minimum period of ninety days;
- secure handling and storage for recordings; and
- 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. (M M M M) (LE1)
81.2.10 (LE1)

(M M M M) (LE1) Emergency Messages

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) (LE1)
81.2.11 (LE1)

(M M M M) (LE1) Misdirected Emergency Calls

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) (LE1)
81.2.13 (LE1)

(M M M M) (LE1) First Aid Over Phone

If the agency authorizes emergency medical instructions over the telephone or radio, employees must be trained and follow 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. In-service training should also be provided on a schedule approved by a competent authority. The material/guidelines and training should be complementary. (M M M M) (LE1)
81.3.1 (LE1)

(M M M M) (LE1) Communications Center Security

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) (LE1) Compliance may be OBSERVED.
81.3.2 (LE1)

(M M M M) (LE1) Alternate Power Source

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. Time sensitive standard. (M M M M) (LE1)
Chapter 82 Introduction

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.
82.1.1 (LE1)

(M M M M) (LE1) Privacy and Security

A written directive establishes privacy and security precautions for the agency’s central records and 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 and any applicable law. This standard applies to both physical records and those stored in electronic/digital formats.

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.

(M M M M) (LE1)
82.1.2 (LE1)

(M M M M) (LE1) Juvenile Records

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, and any applicable law. 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 the 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) (LE1)
82.1.6 (LE1)

(M M M M) (LE1) Computer File Backup and Storage

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. A regular check of passwords, 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 requirements of bullets c and d of this standard. Time sensitive standard. (M M M M) (LE1)
82.2.1 (LE1)  

(M M M M) (LE1) Field Reporting System

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. If the agency utilizes electronic field-reporting, personnel should be provided appropriate training.

Supervisory review should be required as the first step in the submission process, and the form should be designed for the signature, initials or electronic notation 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) (LE1)
82.2.2 (LE1)

(M M M M) (LE1) Reporting Requirements

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) (LE1)
82.2.3 (LE1)

(M M M M) (LE1) Case Numbering System

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) (LE1)
82.3.4 (LE1)

(M M M M) (LE1) Traffic Citation Maintenance

A written directive establishes procedures for maintaining records of traffic citations, to include:

a. issuing citation forms to personnel;

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 personnel should be filed in agency records. Issuing, accounting, and storing of citations may be accomplished by electronic means. (M M M M) (LE1)
Chapter 83 Introduction

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. Research has shown clearly that physical evidence must be identified, collected, preserved properly, and transmitted to the laboratory promptly.
83.1.1 (LE1)

(M M M M) (LE1) 24-Hour Availability

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) (LE1)
83.2.1 (LE1)

(M M M M) (LE1) Guidelines and Procedures

A written directive establishes guidelines and procedures used for collecting, processing, and preserving physical evidence in the field, and includes first responder responsibilities and precautions;

a. procedures for the collection, storage, and transportation of evidence;

b. evidence collection training requirements for persons collecting evidence;

c. procedures for the submission of evidence to accredited laboratories; and

d. transfer of custody of physical evidence.

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.

It is important to recognize DNA evidence may be used to identify and eliminate suspects in cases, and specific protocols should be established to ensure DNA evidence collected remains available for these purposes, which may extend beyond related convictions in some cases.

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.

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. Evidence requiring information to be submitted to national databases should be done in a timely manner. This standard applies to all persons, functions, and components responsible for collecting evidence. (M M M M) (LE1)
83.2.4 (LE1)

(M M M M) (LE1) Equipment and Supplies

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 and videography;
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 personnel 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) (LE1)
83.2.6 (LE1)

(M M M M) (LE1) Report Preparation

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) (LE1)
83.3.2 (LE1)

(M M M M) (LE1) Evidence, Laboratory Submission

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) (LE1)
Chapter 84 Introduction

The property and evidence control function should provide for the security and control of seized, recovered, evidentiary, 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.
84.1.1 (LE1)

(M M M M) (LE1) Evidence/Property Control System

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 personnel end their 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 personnel end their 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;

g. establishing procedures for the temporary and final release of property items from the control of the property and evidence function; and

h. establishing procedures for internal control.

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 personnel 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.

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.

Internal control procedures should be written and carefully followed as a checklist to ensure there is consistency in accounting for evidence and property, and to ensure that changes in personnel do not affect...
the thoroughness of what the agency expects and to ensure the objectives of accreditation standards are being met.

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. (M M M M) (LE1)
84.1.2 (LE1)

(M M M M) (LE1) Storage and Security

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, explosives 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.

If the agency stores explosives, proper containers must be used including all required hazmat placards/warning signage depending on the type and quantity of the materials.

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) (LE1) Compliance may be OBSERVED.
84.1.3 (LE1)

(M M M M) (LE1) Temporary Security

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) (LE1) Compliance may be OBSERVED.
84.1.4 (LE1)

(M M M M) (LE1) Security of Controlled Substances, Weapons for Training

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.

If the agency stores explosives, proper containers must be used including all required hazmat placards/warning signage depending on the type and quantity of the materials. (M M M M) (LE1)
84.1.5 (LE1)

(M M M M) (LE1) Records, Status of Property

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) (LE1)
84.1.6 (LE1)

(M M M M) (LE1) Inspections and Reports

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 and evidence is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee;

b. an audit of property and evidence in compliance with Appendix I 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 in compliance with Appendix K is conducted by a person not routinely or directly connected with control of property and evidence as directed by the agency's chief executive officer; and

d. unannounced inspections of property and evidence 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. Appendix K should be used to determine the minimum 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.

Agencies may consider the use of personnel outside of the agency to conduct the audits and inspections in bullets b, c, d. Personnel either from an adjoining city or town, or employees who work for the municipality, such as city auditors, etc. could be selected by the CEO. Any persons utilized outside of agency personnel should be appropriately vetted. Time sensitive standard. (M M M M) (LE1)
Appendix E

Time Sensitive Activities By Standard Order

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 standard order.

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Appendix F

List of Observation Standards

For example, "while an alternative source of electrical power" (81.3.2) may be observed, the standard is also requiring a documented inspection.

- 41.3.1 - (M M M M) Vehicles used in routine/general patrol marked and equipped
- 45.3.3 - (M M M M) If volunteers wear uniforms, the uniforms clearly distinguish them from sworn officers
- 70.4.1 - (M M M M) Prisoner transport vehicles separate driver and prisoner with barrier
- 70.4.2 - (M M M M) (LE1) Prisoner transport vehicles rear compartment modified
- 72.2.1 - (M M M M) Holding facility minimum conditions
- 72.4.8 - (M M M M) Holding facility emergency alert to designated control point
- 72.4.9 - (M M M M) Holding facility officers equipped with alert or panic alarms
- 72.5.3 - (M M M M) (LE1) Holding facility uses separate areas to detain juveniles, males, and females
- 72.6.2 - (M M M M) Holding facility first-aid kit availability
- 72.6.3 - (O O O O) Procedures for gaining access to medical services are posted in areas used by detainees, in the language(s) prevalent to the area
- 72.6.4 - (O O O O) Procedures for medical service posted in local languages
- 73.4.1 - (M M M M) Availability and readiness of equipment for court security function
- 73.4.2 - (M M M M) (LE1) Means of external communications in courtrooms
- 73.4.3 - (O O O O) Duress alarms in courtrooms
- 73.5.6 - (M M M M) Court holding facility first-aid kit availability
- 73.5.8 - (M M M M) Court holding facility minimum conditions
- 73.5.18 - (M M M M) (LE1) Court holding facility emergency alert to designated control point
- 73.5.22 - (O O O O) Procedures for medical service posted in local languages in the court holding facility
- 81.1.2 - (M M M M) Federal Communications License
- 81.2.1 - (M M M M) (LE1) Agency has 24-hour toll-free telephone access for emergencies
- 81.2.2 - (M M M M) (LE1) Continuous 24-hour 2-way radio communication to officers
- 81.2.5 - (M M M M) (LE1) Communications center access to duty rosters/residence phone numbers/maps/officer status
- 81.2.8 - (M M M M) If local, state, and federal criminal justice information systems exist, the agency participates and/or has access to such a system
- 81.2.9 - (M M M M) Agency participates in local/state/federal criminal justice information systems
- 81.3.1 - (M M M M) (LE1) Communications center security measures in place
- 81.3.3 - (O O M M) The agency has multichannel mobile and/or portable radio equipment capable of two-way operation on a joint public safety frequency or frequencies
- 84.1.2 - (M M M M) (LE1) Secure areas for storage of in-custody and evidentiary property
• 84.1.3 - (M M M M) (LE1) Temporary storage areas for in-custody or evidentiary property
Appendix G

File Construction and Documentation

This appendix is 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. Information on the process of file review can be found within the CALEA Guide for Successful Accreditation Management.

Proof of Compliance Considerations

In developing proofs of compliance, it is important to ensure:

- The directives, documentation, interviews, or observations are relevant and appropriate to the standard being addressed.
- Information does not conflict with another standard statement or agency directive.
- The proof or proofs presented show continued compliance throughout the four-year assessment period or for the time period the standard is applicable to the agency.

Initial Accreditation

For the initial accreditation assessment the accreditation manager should emphasize, through documentation, those "systems" the agency uses for organization, management, operations, and support services. This will allow the Compliance Service Member (CSM) and 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.

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 CSM or assessors that the information contained in the report may be abbreviated to reflect only the relevant proof of compliance. If the complete document is requested by the CSM or assessor the agency will need to provide the resource.

Reaccreditation

The accreditation manager preparing files for a reaccreditation assessment should focus on the "performance" of the agency. This is particularly true for any standards identified during the previous assessment as a compliance issue. Preparation of appropriate documentation for all time sensitive reports or activities is the key to a successful reaccreditation 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. The accreditation manager may choose to provide larger documents as an electronic resource and/or in a resource area during the assessment. Documents of a sensitive nature may need redaction and remain in a secured work area during the site-based assessment.

File Construction

In addition to any required directives, the following three types of proofs should be given consideration when determining compliance:

- Written documentation
- Interviews with appropriate persons, both internal and external to the agency
- 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.

If the standard or the agency directive clearly requires some form of written documentation, it must demonstrate compliance over the four-year cycle.

Compliance is most appropriately shown by placing one proof for each year in the file, assuming each satisfies the agency's directive requirements and the requirements of the standard. 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.

Standards which do not require a written directive or written documentation, may be verified through the use of interviews or observations. Compliance with multiple requirement (bulleted) standards may be shown by including documentation from each year. Proofs provided by the agency must clearly support each bullet and show continued compliance for the 4-year assessment period. A standard with multiple requirements may contain the same proof per year only if the content sufficiently satisfies each bullet. If this is not the case, each bullet will require different proofs of compliance for each assessment year.

**Guidelines for Proving Compliance with Time Sensitive Standards**

Regarding file maintenance issues, there are two types of standards:

- **Time Sensitive**
- **Non-Time Sensitive**

Time Sensitive Standards require an activity or action to occur during a specified time interval or upon incident. These standards require a event such as review, analysis, report, evaluation, training, and other activities listed in the standard or agency directive. The following recommendations are offered as guidelines for determining minimum adequate time sensitive proofs of compliance:

If the required documentation is not available, there should be a memo to file explaining the absence of documentation.

<table>
<thead>
<tr>
<th>Frequency Required by Directive And/Or CALEA Standard</th>
<th>Recommended Minimum in File for Each Year</th>
<th>Recommended Total Minimum in File</th>
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<tbody>
<tr>
<td>Per Incident</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Daily</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Monthly</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Quarterly</td>
<td>2</td>
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<tr>
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<td>4</td>
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<tr>
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<td>4</td>
</tr>
<tr>
<td>Biennial</td>
<td>1</td>
<td>2*</td>
</tr>
<tr>
<td>Every 4 Years</td>
<td>1*</td>
<td>1 or 2</td>
</tr>
</tbody>
</table>

*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)
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.
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<th>Pieces of High Risk Evidence/Property</th>
<th>Required Sample Size</th>
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