

# **New York State Law Enforcement Accreditation Program**

## **STANDARDS AND COMPLIANCE VERIFICATION MANUAL**



7th Edition  
July 2012

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Prepared by

**New York State**

**DIVISION OF CRIMINAL JUSTICE SERVICES**

Office of Public Safety

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## **AUTHORITY AND DISCLAIMER**

The standards contained in this manual have been approved by the New York State Law Enforcement Agency Accreditation Council in accordance with the provisions of §846-h of the New York State Executive Law.

The program is offered to the law enforcement community for use on a voluntary basis. Definitions of key terms are presented in the Glossary and are offered solely for the purpose of clarifying the intended scope and purpose of program requirements. The standards and definitions are not intended to replace or circumvent any legal requirement that may apply to individual agencies. The Accreditation Council recognizes that State and local laws, Codes, Rules and Regulations, and current bargaining agreements are binding in nature and take precedence over program standards and definitions.

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# LAW ENFORCEMENT AGENCY ACCREDITATION PROGRAM OVERVIEW

## Program Structure

The New York State Law Enforcement Agency Accreditation Program was established to provide law enforcement agencies with a mechanism to evaluate and improve the overall effectiveness of their agency and the performance of their staff. Accreditation is formal recognition that an agency's policies and practices meet or exceed the standards established by the council in the areas of administration, training, and operations. (There are currently 133 standards in place, but that number can be fluid as the council reserves the right to add, remove, or condense standards as they see fit.)

Article 36, § 846-h of the New York State Executive Law establishes the *Law Enforcement Agency Accreditation Council* ('the council') as the authoritative body responsible for establishing standards intended to promote excellence and professionalism in the field of law enforcement. The council provides the program with overall guidance and direction and oversees maintenance of the program by recommending adjustments as needed. The council meets quarterly and has the responsibility of developing model standards, recommending rules and regulations to the Governor, and awarding accreditation to applicant agencies that meet program requirements.

The Division of Criminal Justice Services (DCJS) Office of Public Safety (OPS) administers the program in accordance with council policies and provides administrative support to the council. OPS staff members provide training to agency program staff to familiarize them with the program and outline what is expected to earn accreditation. Training is also provided to assessors, independent contractors who are assigned to verify an agency's compliance with program standards. In addition, OPS program staff members develop resource materials; process applications; provide technical assistance to participating agencies; and provide support-staff services to the council.

The New York State Law Enforcement Accreditation Program is a voluntary program, and participating agencies are not responsible for any direct costs related to the program. DCJS bears the entire cost of all training provided, as well as the costs (consultant fees and travel) associated with contractors conducting the assessments of participating agencies. In addition, DCJS provides interested parties with all of the necessary program materials and on-going technical assistance to aid in the process.

The program is made up of 133 different standards, as outlined in this Standards and Compliance Verification Manual. Of the 133 total standards, there are 69 Administration, 12 Training, and 52 Operations standards, as described below:

- **Administration** standards encompass such areas as general management, personnel, and relationships with other agencies. They also address organizational issues such as the agency's mission, the delineation of responsibility, and delegation of authority.
- **Training** standards incorporate many requirements that have already been established by the State's Municipal Training Council. The standards are divided into four categories: Basic, In-service, Supervisory, and Records.
- **Operations** standards impact the ways in which agencies conduct the bulk of their crime fighting responsibilities. Major topics include patrol, traffic, criminal investigations, and unusual occurrences.

The 133 standards can be found in this manual, beginning on page 20.

- The actual **Standard** is always in bold font. Agencies are required to meet every component of the standard to be considered in compliance.
- Many of the standards are accompanied by an italicized *Commentary* which offers background information, clarifies the intent of the standard, and generally provides recommendations for agencies to follow when implementing the standard. More often than not, the commentary is informational only. However, on occasion the commentary will include additional requirements that should be considered when determining how to meet the standard. If a commentary is written in a way that indicates something is mandatory (e.g. “the agency *must*.....”), the assessment team will consider the requirements within the commentary as well as the standard when determining compliance.

While in most cases suggestions or recommendations made in the commentary are optional (e.g. “the agency *should*...”), agencies will be encouraged to implement as many of the recommendations as they can in order to maximize the effectiveness of each policy and/or procedure.

- Finally, each standard is accompanied by ‘Compliance Verification Strategies’, or examples of what the assessors will look for to determine compliance with the standard. Agency staff should use these strategies as a guide when determining what to include in the file folder or have available when the agency is assessed.

Participating agencies are expected to implement all of the standards in place during their period of accreditation. There have been cases where a standard may not apply because the agency doesn’t perform a particular function or local laws/collective bargaining agreements prohibit agency staff from implementing all or a portion of a particular standard. A program file folder for the standard should still be set up and appropriate documentation made available to demonstrate the reason for not being able to comply (such as a union contract with the clause highlighted). A waiver for a particular standard(s) may be requested in cases where an agency *can* comply with a particular standard but chooses not to. Approval of a waiver requires a two-thirds vote of the council and is a very rare occurrence.

It is important to note that while the standards tell agency officials what they must do to earn accreditation, the chief law enforcement officer has considerable flexibility in determining how the agency will implement the specific requirements. Policies and procedures that work well in one department may be inappropriate in another. Program assessors have been advised to expect considerable variation in agency policies and procedures when conducting assessments.

## **Becoming an Accredited Law Enforcement Agency**

**APPLICATION:** The accreditation process begins when an agency submits a formal application which must be signed by both the agency’s chief law enforcement officer and the municipality’s chief elected official. The chief law enforcement officer must also sign and submit the ‘Agency Participation Agreement’ which outlines the responsibilities of the agency and the Accreditation Council.

**PROGRAM DEVELOPMENT:** A program manager must be appointed to oversee development and then maintenance of the program. The program manager will work very closely with the chief law enforcement officer to ensure that the agency has in place policies or practices that meet each and every standard. File folders for each standard must be developed, as they are the mechanism by which the program manager can organize the standards, policies and documentation. The file folders also serve as the main method by which the assessors will verify compliance with the standards. Many agencies still have ‘hardcopy’ file folders, but the number of accreditation programs that are transitioning to electronic files is increasing.

To become accredited, the chief law enforcement officer and accreditation program manager might begin developing the program by identifying program standards that are already met by existing policies/practices within the agency. In general, agency staff can expect three levels of development:

1. If a current policy or practice meets a standard(s), preparation may be as simple as: a) the chief law enforcement officer signs off on the policy to verify it is still in effect; b) the policy is distributed to agency personnel to ensure they are familiar with it, and; c) a file folder is created for the standard(s).
2. Sometimes, an agency will have in place current policies/practices that address portions of a standard(s) but not every component. In those cases, adjustments to the current policy/practice need to be made in order to meet the standard.
3. Many times, brand new policies and/or procedures need to be developed and implemented in order to meet the standards.

OPS program staff can provide a variety of resources that can be very useful in maintaining organization and focus while navigating through the process of preparing an accreditation program.

**ASSESSMENT:** Once an agency is fully prepared to undergo an assessment of their accreditation program files, OPS program staff will work with the chief law enforcement officer and agency program manager to coordinate an ‘on-site’ assessment. Agencies will be vigorously evaluated on their administrative, training, and operational policies and practices as they pertain to the standards. Each of the assessors is approved by the council and they are required to have experience with the program. In addition, they are fully trained by DCJS, and follow specific guidelines to ensure that every agency is assessed objectively and equally.

The methods that will be used to determine compliance are:

- ✓ **Evaluating Written Directives for Compliance with Standard.** Written directives can include general or special orders, standard operating procedures, policies, procedures, or rules and regulations.
- ✓ **Documentation of Implementation.** Assessors will look for proof in the file folders that the written directives are up-to-date and are being properly implemented by agency personnel. Proof may include, but not be limited to, reports, files, logs, lesson plans, incident reports, personnel files, and performance evaluations.
- ✓ **Interviews with Agency Staff.** Assessors will interview department members – some that are identified in advance by the chief law enforcement officer and others at random - to evaluate their familiarity with written directives for particular standards. Staff members identified by the agency head prior to the on-site assessment are expected to be available to the assessors.
- ✓ **General Observations.** This involves verification of standard compliance through direct observation by the assessors (for example, the evidence storage facility.)

Prior to the on-site assessment, a *Standard Compliance Report* must be completed for every standard. This form is intended for use by both agency staff and the assessors, enabling both parties to quickly determine how compliance is being met. A copy of the *Standard Compliance Report* can be found on page 16 of this manual.

Assessments are not intended to be adversarial, so sometimes the assessment team will find it necessary to ‘go the extra mile’ to help a new agency correct minor errors in their policies and/or documentation. Minor deficiencies that can be easily corrected on-site generally won’t keep the team from

recommending accreditation to the council. However, agencies that require a great deal of additional work to bring them into compliance could face having to delay achieving their status of accreditation until they have more time to spend preparing their policies and files. OPS program staff members can assist in determining an agency's readiness for assessment. Also, most assessors cite that agencies that have had a mock assessment conducted first are better prepared for the assessment, so the council strongly encourages this method of preparation.

Before the assessment team concludes their on-site assessment they will meet with the agency head and program manager to discuss their team's findings. If compliance is a concern, the assessors will make them aware of any reluctance to recommend accreditation to the council. The agency, assessment team, and OPS program staff can then determine the best course of action prior to the report being forwarded to the council.

**ACCREDITATION:** The Law Enforcement Accreditation Council meets quarterly (in the months of March, June, September and December.) Agencies that are recommended for accreditation will be invited to attend the next scheduled meeting to receive their Certificate of Accreditation upon a vote of approval by the council. Agencies are accredited for a period of five years.

**PROGRAM MAINTENANCE:** In order to remain in good standing, agencies must maintain compliance with all program standards throughout the period of accreditation. The key to successfully maintaining accreditation hinges on the commitment that the agency makes to keep its files, policies, and records up-to-date. Accredited agencies must submit the Annual Compliance Survey each year to document areas of compliance and notify OPS program staff of any areas of non-compliance that would require corrective action.

Becoming accredited may seem overwhelming at times, but OPS program staff is available to offer technical assistance throughout the process. In addition, a variety of useful tools and publications are available on our website at <http://www.criminaljustice.ny.gov/ops/docs/index.htm>. Under 'Forms', the Agency Accreditation Master Plan and the Agency Manager Log Sheet can be very useful in keeping agency program staff organized and the development of the program on track.

For more in-depth information about the Law Enforcement Accreditation Program, from the website above click on 'Publications'. There you will find the **Blueprint for Effective Law Enforcement**, which provides overall program information; the **Implementation Guide**, which covers the process for implementing a program within an agency; and the **Guide to Maintaining Accreditation and Preparing for Reaccreditation**, which provides useful information about what to do post-accreditation.

**POLICY STATEMENT OF THE NEW YORK STATE  
LAW ENFORCEMENT ACCREDITATION COUNCIL**

**THE ROLE OF COMMENTARIES IN ESTABLISHING THE INTENT OF  
ACCREDITATION PROGRAM STANDARDS**

The accreditation program standards agencies must comply with have been developed by the Law Enforcement Accreditation Council with input from various experts in the field of law enforcement. They represent a variety of areas within police administration, training, and operations that must be addressed through policies or procedures in order for the agency to be considered for accreditation. Because the standards don't generally mandate the exact policy or procedure that must be adopted by the law enforcement agency, chief law enforcement officers have plenty of flexibility to address each standard in a way that best suits their respective departments.

Some standards are clear and concise and require no additional information to clarify their intent. For instance, Standard 1.1 - "The agency has a written mission statement that defines its role." - requires no further explanation in terms of what's expected to meet this standard.

Other standards are more complex and do require additional information with regard to the intent of the standard. This clarification is provided in the form of a "**Commentary**". Of the 133 standards currently in place, 96 include commentaries that:

- Provide an explanation as to why a particular standard is in place and how the standard will improve a certain function within the department;
- Provide corresponding legal information related to the standard;
- Provide historical information that is pertinent to understanding the intent of the standard, or;
- Offer suggestions or recommendations for what should be included in any policy or procedure developed to address that particular standard.

More often than not, the commentary is informational only. However, on occasion the commentary will include additional requirements that should be considered when determining how to meet the standard. If a commentary is written in a way that indicates something is mandatory (e.g. "the agency *must*....."), the assessment team will consider the requirements within the commentary as well as the standard when determining compliance.

Finally, while in most cases suggestions or recommendations made in the commentary are optional (e.g. "the agency *should*...."), agencies will be encouraged to implement as many of the recommendations as they can in order to maximize the effectiveness of each policy and/or procedure.

---

This policy was approved by the State Law Enforcement Accreditation Council on June 6, 1991.  
Revisions approved by the council on March 8, 2012.

## CRITICAL STANDARDS APPROVED BY THE COUNCIL

At the 87<sup>th</sup> meeting of the New York State Law Enforcement Accreditation Council held on June 7<sup>th</sup>, 2011, the following **Critical Standards** were approved by the council. Critical Standards are those that have historically had the highest degree of liability for a law enforcement agency or those that have been problematic in terms of being implemented properly by accredited agencies.

Also at the June 7<sup>th</sup>, 2011 council meeting, the council unanimously approved amendments to the council policy entitled *Reaccreditation*. Once these amendments have been fully implemented, the process for reaccrediting law enforcement agencies will change.

Under the new *Reaccreditation* policy, agencies that are preparing to undergo a reassessment for the second or more time will no longer be subject to a full reassessment of all 133 program files. Instead, agencies will undergo a ‘Compliance Audit’ of all approved Critical Standards and no less than 20 other ‘essential’ standards (the standards that have not been identified as Critical Standards are termed ‘essential’.)<sup>1</sup> For more information, please refer to the council policy entitled *Reaccreditation*, section 6a-6i.

Agency accreditation program staff should familiarize themselves with the Critical Standards so as to ensure that they are always up-to-date and appropriately documented. Furthermore, even with the transition to the new ‘Compliance Audit’, all accredited agencies should continue to maintain their program files for all approved standards as outlined in the council policy *Agency Responsibilities Following Accreditation* as each assessor has the discretion to ask to review additional files if time permits or if they believe it’s necessary to ensure compliance with the program.

The approved Critical Standards are listed on the next page and are designated throughout this manual.

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<sup>1</sup> The compliance audit procedure may be waived in favor of a full reassessment of all program files in cases where the Accreditation Council believes it is warranted.

# **New York State Law Enforcement Accreditation Program**

## **Critical Standards**

The following Critical Standards are to be used in conjunction with the Law Enforcement Accreditation Council policy on *Reaccreditation* as a guide for determining which of the 133 Accreditation program standards are required to be reviewed as part of all reaccreditation compliance audits. The list represents the standards that have historically held the highest potential for liability to a law enforcement agency.

***PLEASE NOTE - accredited agencies must establish and maintain compliance with all 133 Program Standards in order to maintain their accredited status.***

### **ADMINISTRATIVE STANDARDS**

- 2.3 - Written Directives**
- 2.7 - Officer Responsibility and Authority**
- 2.9 - Accountability of Supervisory Personnel**
- 5.3 - Safeguarding Cash**
- 6.2 - Safeguarding Agency Weapons**
- 7.1 - Storage of Evidence**
- 7.3 - Inventory Control**
- 8.7 - Records Management System**
- 12.5 - Background Investigation**
- 13.1 - Performance Evaluation System**
- 14.1 - Rules of Conduct**
- 14.4 - Disciplinary System**
- 14.7 - Sexual Harassment**
- 20.1 - Necessary Force**
- 20.7 - Reporting Requirements**
- 25.1 - Internal Affairs Function**

### **TRAINING STANDARDS**

- 33.1 - In-service Training - Length and Content**

### **OPERATIONAL STANDARDS**

- 43.4 - Vehicle Pursuits**
- 44.1 - Domestic Incidences**
- 51.4 - Labeling Evidence (Scenes of Incidents section)**
- 58.2 - Disaster Plans**

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Approved by the NYS Law Enforcement Agency Accreditation Council on June 7, 2011.

**NEW YORK STATE LAW ENFORCEMENT AGENCY  
ACCREDITATION PROGRAM  
STANDARD COMPLIANCE REPORT/POLICY ADVICE**

**FOR AGENCY USE**

Agency: \_\_\_\_\_  
Standard: \_\_\_\_\_  
Prepared by: \_\_\_\_\_

Method of Compliance      \_\_\_\_\_ Written Directive  
   \_\_\_\_\_ Written Documentation (must be included in folder)  
   \_\_\_\_\_ Interview(s) (specify by name and title)  
   \_\_\_\_\_ Observations  
   \_\_\_\_\_ Waiver (attach approval from Council)

Identify source(s) and explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CLEO (or designee) Signature \_\_\_\_\_ Date \_\_\_\_\_

**ASSESSOR USE ONLY**

Compliance \_\_\_\_\_ Noncompliance \_\_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Assessor Signature \_\_\_\_\_ Date \_\_\_\_\_

If noncompliance: Team Leader Signature \_\_\_\_\_

Date CLEO (or designee) notified \_\_\_\_\_ Time \_\_\_\_\_

If documentation accepted: Team Leader Signature \_\_\_\_\_

Date CLEO (or designee) notified \_\_\_\_\_ Time \_\_\_\_\_

Comments \_\_\_\_\_  
\_\_\_\_\_

## **DISSEMINATION OF WRITTEN DIRECTIVES**

Any written directive that is drafted to demonstrate compliance with New York State law enforcement accreditation standards must be disseminated to all affected agency personnel. Dissemination may be accomplished through various means to include the issuance of a policies and procedures manual to each individual or through computer on-line communications. Documentation must exist to demonstrate dissemination of the written directives.

Law enforcement agencies throughout the state identify its written directives in a variety of ways. However, be it a policy, procedure, rule, regulation, general order, standard operating procedure, temporary order, special order, administrative order, etc., effected personnel must be made aware of the directive in order to be held accountable for the information.

The intent of this policy is to ensure that those individuals being held accountable for any specific information contained in the directives be briefed as to their accountability and/or trained where appropriate. A record of their acknowledgment, training and/or receipt of the directive must exist.

The chief law enforcement officer must take great care to ensure that written directives are distributed in accordance with this requirement.

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# **ADMINISTRATIVE STANDARDS**

## **I. ADMINISTRATION**

# Section 1 – Agency Role

## New York State Law Enforcement Accreditation Program

### 1.1 Mission

#### ADMINISTRATION

STANDARD 1.1     **The agency has a written mission statement that defines its role.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written mission statement should be available for review.
2. Interview(s) with agency personnel to verify that they clearly understand the agency's role and authority.

## 1.2 Goals, Objectives and Evaluation of Goals

### ADMINISTRATION

**STANDARD 1.2      The agency develops goals and objectives that are reviewed and updated at least once annually and are available to all personnel. A written evaluation of the degree to which the agency has attained its goals and objectives must be prepared annually and made available for review by all personnel.**

*Commentary: By establishing and routinely updating goals and objectives, an agency has a basis for measuring progress, as well as for ensuring direction and unity of purpose. A written evaluation must be prepared.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A description of the method by which goals and objectives are developed, reviewed, evaluated and updated should be provided. A timetable for reviews and updates should be established.
2. A current list of agency goals and objectives should be available for review.
3. Interview(s) with agency personnel to verify that the information has been made available for review.
4. A review of prior goals and objectives of the agency to verify that they are periodically updated.
5. The process by which the agency prepares and submits written evaluations should be provided. Documentation should include a timetable for preparation, submission and evaluation.
6. The criteria used to evaluate the degree to which the agency has attained its goals and objectives should be available for review.
7. Examples of recently completed evaluations should be provided.

## Section 2 – Organization

### New York State Law Enforcement Accreditation Program

#### 2.1 Organizational Chart

##### ADMINISTRATION

**STANDARD 2.1     The agency has an organizational chart that is updated and available to all members. The chart reflects the chain of command and lines of communications within the agency and is organized in a hierarchy.**

*Commentary: When an agency changes its organizational structure, the organizational chart should be updated to be kept current with these changes.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the agency organizational chart should be available for review. It should be complete and up-to-date, and include the chain of command and lines of authority for communication.
2. Interview(s) with agency personnel to verify that personnel have knowledge of the chain of command and lines of authority.

## 2.2 Job Classifications

### ADMINISTRATION

**STANDARD 2.2      The agency has a statement of the duties and responsibilities prepared for each sworn and non-sworn job classification or assignment within the agency.**

*Commentary: Each job classification or assignment should have a comparable description by rank and position. Examples of job classifications and assignments may include, but not be limited to police officers who are assigned to traffic, patrol, juvenile and detective units.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. The statements of duties and responsibilities associated with each job classification or assignment should be available for review.
2. Interviews and/or observations of agency personnel can help verify that they understand the duties and responsibilities associated with their job classification.

**2.3 Written Directives - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 2.3 The agency adheres to an established system for the development and promulgation of agency policies, procedures, rules and regulations which:**

- A. Provides procedures describing how written directives are:
  - 1. formatted;**
  - 2. indexed;**
  - 3. purged;**
  - 4. updated; and**
  - 5. disseminated.****
- B. Vests in the chief law enforcement officer or designee(s) the authority to issue, modify or approve written directives;**
- C. Provides a procedure for staff review of proposed written directives prior to their implementation; and**
- D. Requires a procedure to assure the receipt of the directives by all affected components and personnel.**

*Commentary: An agency should establish a written directive system to ensure that employees receive and understand the individual policies and procedures and rules and regulations relating to the performance of their duties.*

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

- 1. A description of the system used by the agency should be available for review.
- 2. Agency files containing records and/or logs used to track the development of written directives should be provided. The files should include:
  - a. Approved written directives that are appropriately signed and dated; and

## **STANDARD 2.3 Continued**

- b. Records that track the development of written directives, (e.g., from initial proposals through reviews, updates, revisions, final approval, etc.).
3. The method by which written directives are disseminated should be described, and proof should be provided that agency personnel have received these directives (e.g., signed or initialed receipts).
4. Assessors may randomly review the manuals of agency personnel to ensure that the manuals are current and up-to-date.

## 2.4 Staffing Table

### ADMINISTRATION

**STANDARD 2.4 The agency has a staffing table that provides the following information:**

**A. Total personnel strength as authorized by the agency's government;**

**and**

**B. Number of personnel, by rank or job title, within each organizational component, including non sworn personnel.**

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. An up-to-date copy of the agency staffing table should be provided, and it should illustrate the agency's units or components by rank and title.
2. The agency's authorized personnel strength should be documented.
3. If the personnel strength of an agency is set by local laws or bargaining agreements, copies of these documents should be provided.

## 2.5 Map of Patrol Areas

### ADMINISTRATION

**STANDARD 2.5      The agency, for purposes of appropriate distribution of patrol personnel, periodically reviews staffing needs and maintains a map of its service area organized into identified patrol area(s) which suit community needs.**

*Commentary: This standard encourages the agency to distribute personnel according to calls for service, geographic limitations, community needs and personnel limitations.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. An up-to-date map of the agency's service area should be available for review.
  - The service area map should indicate how patrol personnel are assigned according to patrol areas (i.e., how the map is utilized for the purpose of distributing patrol personnel).
2. Provide a description of the method used to determine and/or update patrol area boundaries.
3. Outdated service area maps should be provided to verify that the agency periodically updates or reviews such maps.

**2.7 Officer Responsibility and Authority - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 2.7      The agency has a written directive requiring responsibility be accompanied by commensurate authority and each employee is accountable for the use of delegated authority.**

*Commentary: The intent of this standard is to establish guidelines for the delegation of authority. At every level within the agency, personnel should be given the authority to make decisions necessary for the effective execution of their responsibilities. Each officer is responsible for acts and omissions while on duty and must be accountable for this authority.*

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. Other strategies identified by the agency may also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel can be conducted to verify their understanding of and compliance with this standard.

**2.9 Accountability of Supervisory Personnel - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 2.9 The agency has a written directive establishing that supervisory personnel are accountable for the performance of employees under their immediate control.**

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with supervisory personnel will verify their knowledge of and compliance with this standard.

## 2.10 Lawful Orders and Conflicting Orders

### ADMINISTRATION

**STANDARD 2.10    The agency has a written directive that requires sworn personnel to obey any lawful order of a superior transmitted by any duly authorized agent of that superior, regardless of rank involved, and establishes procedures to be followed when a conflicting order or directive is received.**

*Commentary: In a law enforcement agency, there are times when it is appropriate to notify command officers of conflicting orders. There are also times when immediate obedience to an order is necessary to preserve life or protect the welfare of the public. It is difficult to list each situation when an employee should speak up and when they should comply. The intent of the standard is to provide open communication among ranks without compromising emergency operations.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with sworn personnel to verify their understanding of and compliance with this standard.

## Section 3 – Health and Safety

### New York State Law Enforcement Accreditation Program

#### 3.1 Infectious Diseases

##### ADMINISTRATION

**STANDARD 3.1 The agency has a written directive that addresses infectious diseases to include prevention and post exposure response. The directive will address the following at a minimum:**

- A. The designation of a position responsible for the coordination of communicable disease exposure;**
- B. Precautions associated with public safety personnel in the performance of their duties;**
- C. Protective equipment;**
- D. Reporting procedures for possible exposure;**
- E. Provisions for disposal of contaminated materials;**
- F. Provisions for medical care;**
- G. Training; and**
- H. Record keeping confidentiality.**

*Commentary: It is the responsibility of the agency to take all reasonable measures to assist its members to perform their duties in a safe and effective manner. HIV/AIDS, hepatitis viruses, other viruses, and communicable diseases may be contracted through exposure to infected blood, several types of bodily secretions, and contact with contaminated materials. It is necessary to continuously provide employees with information and safety equipment to prevent and minimize their risk of exposure, and to implement post exposure reporting, evaluation and treatment for all members exposed to these diseases. The agency must ensure that the directive is compliant with OSHA and Public Employee's Safety and Health (PESH) requirements. PESH requirements are found in 12 NYCRR Parts 800-830.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

**STANDARD 3.1 (Continued)**

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel responsible for the communicable disease program to verify their understanding of and compliance with this standard.
3. Interviews with agency personnel to verify their knowledge of and understanding of the directive.
4. Review of agency training records.
5. Observation of protective equipment.

## **II. INTERNAL ADMINISTRATION**

## Section 5 – Fiscal Management

### New York State Law Enforcement Accreditation Program

#### 5.1 Responsibility

##### ADMINISTRATION

STANDARD 5.1      **The agency has a written directive or documentation designating the position or component responsible for fiscal management.**

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive or documentation should be available for review.
2. Interviews with personnel responsible for fiscal management.

## 5.2 Accounting

### ADMINISTRATION

**STANDARD 5.2 The agency has an accounting system for its budget which includes the preparation of at least quarterly status reports showing:**

- A. Initial appropriation for accounts or programs;**
- B. Balances at the commencement of each period;**
- C. Expenditures and encumbrances made during the period; and**
- D. Unencumbered balances.**

*Commentary: Due to the diversity of agencies in the State, it is recognized that there will be different types of fiscal systems in place. Allowances will be made for agencies which have fiscal systems not under the direct control of the Chief law enforcement officer. However, any such system must give the Chief law enforcement officer the ability to determine the fiscal status of the agency's budget at any given time.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A description of the internal accounting system used by the agency should be provided.
2. Copies of recent (Quarterly) agency financial reports should be available. The reports should be up-to-date and contain all elements required by the standard.
3. All budget forms and documents used in the preparation of financial reports should be available for review.
4. Interview(s) with personnel responsible for preparing these quarterly status reports to verify staff knowledge of and compliance with the system.

**5.3 Safeguarding Cash - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 5.3 The agency has a written directive that outlines procedures for collecting, safeguarding, and disbursing cash, to include at a minimum:**

- A. Maintenance of an allotment system or, alternatively, records of appropriations among organizational components;**
- B. Preparation of financial statements;**
- C. Internal monitoring; and**
- D. Identification of persons by name or position authorized to accept or disburse funds.**

*Commentary: Procedures developed to implement this standard will ensure that cash is properly handled within the agency. The system may be simple or complex. Examples of receipt and disbursement of cash include report fees, bail transactions, petty cash, and informant and drug funds.*

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel authorized to manage funds should be conducted to verify their knowledge of and compliance with the directive.
3. A review of records, financial statements, and any forms or records used for internal monitoring.
4. Observation of the facility where cash is kept and evaluate safeguarding techniques.

## Section 6 – Agency Property

### New York State Law Enforcement Accreditation Program

#### 6.1 Requisitioning Property

##### ADMINISTRATION

**STANDARD 6.1 The agency has a written directive that governs the procurement or requisitioning of agency-owned property.**

- A. The directive must also outline procedures for inventory control of property, equipment and other assets owned and used by the agency; and**
- B. Designates the person(s) or position responsible for the management, accountability, distribution and issuance of agency-owned property.**

*Commentary: This standard requires the agency to establish formal control over the requisitioning, inventory and issuance of supplies and property. Large agencies, particularly de-centralized ones, may find it very difficult to have this function centralized. This standard can be met as long as the agency has formal control of the process.*

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A review of agency records to verify that procedures mandated by the written directive are being followed.
3. Interview(s) with the personnel responsible for this function to verify their knowledge of and compliance with the directive.
4. Inspection of agency property, equipment and other assets to verify that inventory records are accurate.

**6.2 Safeguarding Agency Weapons - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 6.2 The agency has a written directive that outlines the procedures used for the safe and proper storage, control, inventory and safeguarding of agency weapons and ammunition maintained in an armory or other secure setting.**

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews with agency personnel to verify their knowledge of and compliance with the directive.
3. Observation of the armory or similar setting to verify compliance with the standard.

## Section 7 – Non-Agency Property

### New York State Law Enforcement Accreditation Program

#### 7.1 Storage of Evidence - **CRITICAL STANDARD**

##### ADMINISTRATION

**STANDARD 7.1** The agency has a written directive that describes its property system used for the secure and proper recording, storage, classification, transfer, retrieval and disposition of all evidentiary items and items held under protective custody. A designated person(s) is accountable for control of all property placed within the protective custody of the agency.

- A.** This property system must incorporate additional security and control measures to safeguard all money, firearms, controlled substances and high-value items within the protective custody of the agency.

*Commentary: An adequate property management system is necessary to protect the chain of custody and to maintain the agency's credibility with the judiciary and the public. Items such as money, firearms and controlled substances pose significant security risks for law enforcement agencies. Placing these items on a shelf in the evidence room is not sufficient. Additional measures to provide enhanced security within the evidence room may include the use of a safe, the use of a chain to secure firearms, and/or the installation of a floor to ceiling chain link fence.*

*This standard is designed to govern the handling and security of property and evidence that has been placed in the custody of the agency through its normal operation and course of business. As various types of prescription drug “take back” programs have been developed, more law enforcement agencies have been asked to participate as facilitators for the collection of these drugs. This standard should not be interpreted to discourage agencies from participating in such programs, nor should it add an additional burden on agencies in the accreditation program. Law enforcement agencies participating in such programs should only have to verify that they have followed their respective programs rules and guidelines.*

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the directive should be available for review.
2. Provide records, logs or other documentation used in this system for review by the assessors.
3. Review agency files to verify that the record keeping system is consistent with agency procedures.

Standard 7.1 (continued)

4. Random selection and examination of evidentiary items to verify that the procedures are being followed.
5. Interview(s) with personnel responsible for handling, storing and retrieving evidentiary items to verify their knowledge of and compliance with the directive.
6. Observation of the security measures employed.
7. Provide documentation describing any prescription drug “take back” programs the agency participates in. This should include written documentation of the dates of such programs and that the agency complied with the program guidelines.

### 7.3 Inventory Control - **CRITICAL STANDARD**

#### ADMINISTRATION

**STANDARD 7.3      The agency has a written directive that requires personnel not normally charged with the custody of property to annually perform sample inventories and record the audits of property within the protective custody of the agency.**

**A.      The written directive requires that whenever a new property or evidence custodian is designated, a sample inventory of property is conducted and properly annotated.**

*Commentary: An internal inspection process is necessary to maintain the integrity of the system. In order to ensure such integrity, inventories and audits should be conducted by an independent person(s). The audits should include multiple samples of the various classifications of evidence such as money, firearms and controlled substances. Additionally, when a new property or evidence custodian is designated, it is important to ensure the continuity of custody.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with the property custodian(s) can be conducted to verify that a periodic inventory does occur.
3. Interviews with personnel who are not charged with the custody of property but who have periodically performed audits.
4. A review of completed agency records to determine that periodic inventories are being done and the records are correct and properly annotated.
5. A review of agency records or files that were completed the last time a new property custodian was designated.

## Section 8 - Records

### New York State Law Enforcement Accreditation Program

#### 8.1 Calls for Service

##### ADMINISTRATION

**STANDARD 8.1 The agency must maintain a record for each call for service and include at a minimum:**

- A. The control number;**
- B. Nature of call;**
- C. Date and time of call;**
- D. Names of person(s) involved; and**
- E. Action, if any, taken by the agency.**

*Commentary: The intent of this standard is to maintain the integrity of the agency record system to ensure that calls for service are not selectively or randomly omitted or deleted. It is important that all call activity is available for review.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Review of agency files of complaints/crimes, arrest and traffic accident reports to verify existence and completeness of such records.
2. Interview(s) with agency personnel to verify their knowledge of and compliance with this standard.
3. Randomly track agency records through the system to verify compliance with all components of this standard.
4. Comparison of the agency log/blotter with reports that are on file to verify compliance.

## 8.2 State Fingerprint System

### ADMINISTRATION

**STANDARD 8.2 The agency must maintain full participation in the state fingerprint/criminal history records system and Uniform Crime Reporting System or National Incident Based Reporting System.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Compliance may be met by supplying:
  - a. Copies of uniform crime report submissions;
  - b. Copies of fingerprint/criminal history record submissions;
  - c. Documentation outlining agency procedures for full participation in these systems; and/or
  - d. Official correspondence (e.g., letters from state agencies that document the agency's current participation).
2. Copy of the DCJS "Use and Dissemination Agreement."
3. Interviews with the person(s) responsible for preparing uniform crime reports and data for the fingerprinting/criminal history records system.

## 8.5 Record Maintenance

### ADMINISTRATION

**STANDARD 8.5**     **The agency must maintain records in accordance with the records retention and disposition schedule issued by the Commissioner of the State Department of Education [schedule MU-1 (9 NYCRR section 185.11) for use by city, town, and village agencies OR schedule CO-2 (9 NYCRR section 185.13) for use by county agencies], including, but not be limited to:**

- A.     Incident and/or crime reports**
- B.     Arrest reports**
- C.     Traffic accident reports**

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.     Documentation outlining the record keeping function should be available for review.
2.     Provide a copy of the resolution passed by municipality adopting the applicable records retention and disposition schedule.
3.     Provide agency files of complaints/crimes, arrest and traffic accident reports to verify the existence and completeness of such records.
4.     Interview(s) with agency personnel involved in record maintenance to verify their knowledge of and compliance with this standard.

## 8.6 Statistical Summaries

### ADMINISTRATION

**STANDARD 8.6      The agency has an administrative reporting program which preserves the daily records of agency activities. Statistical and data summaries based upon such records shall be periodically prepared.**

*Commentary: This standard is necessary to ensure that the agency maintains records of all activities and formalizes its record keeping process. This system can be used to keep the administration informed of day-to-day activities, for planning and staffing purposes, to keep the public informed and to inform the governing body of activities for budgetary purposes.*

*The activities recorded should include but not be limited to: the number of complaints; crimes and arrests; traffic accidents; summonses; and unusual occurrences. The intent of the standard is to keep personnel informed of activities during previous shifts.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Documentation of the agency reporting program should be available for review.
2. Examples of data summaries should be available for review.
3. Interview(s) with agency personnel responsible for this function to verify their knowledge and understanding of the reporting program.
4. Review agency records to verify that staff members periodically prepare a record of agency activities consistent with the standard.

**8.7 Records Management System - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 8.7 The agency has a records management system which ensures that incident reports are maintained and filed in an efficient and functional manner. The records management system shall include provisions for:**

- A. The filing of reports;**
- B. The retrieval of reports;**
- C. The security of reports;**
- D. Supervisory review of incident reports for completeness and accuracy; and**
- E. The response to Freedom of Information requests.**

*Commentary: The intent of the standard is to have information readily available. It is recognized that there will be different types of systems, such as a master name index, a daily blotter or a computerized information system. Types of reports include arrests, incidents, traffic accidents and summonses.*

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Review of agency records to verify that a record management system does exist.
2. Interview(s) with agency personnel responsible for maintaining the system to verify their knowledge of and compliance with specific procedures.

## 8.8 Arrest History

### ADMINISTRATION

**STANDARD 8.8      The agency must maintain an arrest history record on each person arrested by the agency.**

*Commentary: The intent of this standard is to compile as much biographical data as possible on an individual who is arrested by the agency. The data should include but not be limited to: name; date of birth; sex; address; social security number; agency arrest history; physical description; and information pertinent to the arrest.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Agency files should show that an arrest history record exists on each person arrested by the agency.
2. The criminal investigation files kept by the agency can be examined for use in cross-referencing the arrest history records if the files and records are kept separately.
3. Interview(s) with the person(s) responsible for maintaining the arrest history record to verify that the recording system is being maintained as directed.

## 8.9 Juvenile Records

### ADMINISTRATION

**STANDARD 8.9 The agency must maintain records on juveniles separate from records on adults as required by applicable law.**

**A. Identify by position who is responsible for the collection, dissemination and retention of juvenile records.**

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. The information system used to retrieve arrest history and other records can be examined to verify agency compliance.
3. Investigative reports involving juveniles can be cross-referenced with the arrest history record and records retrieving system to verify that all records involving juveniles follow applicable law.

## 8.11 Sealing Orders

### ADMINISTRATION

STANDARD 8.11 **The agency complies with all court mandated sealing orders.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. The documentation that establishes this process should be available for review.
2. Interview(s) with agency personnel responsible for this function to verify their understanding of and compliance with this standard.
3. A review of agency files to verify that this process is being performed appropriately.

## 8.12 Record System for Warrants

### ADMINISTRATION

**STANDARD 8.12 The agency has a record system for warrants which permits 24 hour access.**

*Commentary: On-duty sworn and non sworn personnel should have access to the warrant file 24 hours a day. It must also be kept up to date.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Examine the warrant file system and observe the procedure used for 24 hour access.
2. Interview(s) with personnel responsible for maintaining this system to verify their understanding of and compliance with this standard.
3. Interview(s) with patrol officers to verify their knowledge of the record system.
4. If the agency is not responsible for this function, assessors may contact the appropriate agency to verify compliance.

### 8.13 Legal Process

#### ADMINISTRATION

**STANDARD 8.13     The agency requires that information regarding each item of legal process, including warrants, civil and/or criminal, is recorded. A record of attempts to serve each legal process document is maintained.**

*Commentary: This information should include, but not be limited to the following elements:*

- A. *Date and time received;*
- B. *Type of legal process (civil or criminal);*
- C. *Nature of document;*
- D. *Source of document;*
- E. *Name of plaintiff/complainant or name of defendant/ respondent;*
- F. *Officer assigned for service;*
- G. *Date of assignment;*
- H. *Court docket number; and*
- I. *Date service due.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Review copies of records, reports, or logs used to record service.
2. Interview(s) with personnel responsible for serving legal process to verify their knowledge of and compliance to the standard.

### **III. PERSONNEL**

## Section 11 - Recruitment

### New York State Law Enforcement Accreditation Program

#### 11.1 Job Announcement

##### ADMINISTRATION

**STANDARD 11.1 A job announcement for every entry level law enforcement officer position is advertised and must include the following:**

- A. A description of the duties associated with the position to be filled;**
- B. Requirements that must be met in order to qualify for the position;**
- C. Information that prospective candidates need to know about the application process; and**
- D. Notice that the agency is a Equal Opportunity Employer.**

*Commentary: The intent of this standard is to make sure that the general population receives adequate notice of any openings in the agency. In many cases, a civil service announcement which contains the above information will be acceptable to demonstrate compliance with much of this standard.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Copies of job announcements for every entry-level position should be available for review.
2. Interview(s) with the person(s) responsible for this function to verify that job announcements are sufficiently advertised.

## 11.2 Responsibility

### ADMINISTRATION

**STANDARD 11.2     The agency has a written directive that designates a person(s) or position(s) or agency responsible for administering selection activities. The agency must maintain written documentation that describes all components of the selection process. Agency records must denote the title of the person or group having the authority to appoint new officers.**

*Commentary: The sequential steps used by the agency must be enumerated in demonstrating how an applicant becomes a member of the agency.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive designating the person(s) or positions(s) responsible for selection activities and describing the procedures and components of the selection process should be available for review.
2. A copy of the statute or agency directive that designates the person or group having the authority to appoint new officers should be provided.
3. Review of agency files that contain records or other documentation pertaining to the selection process (e.g., evaluations, test results, or oral interview notes) to verify that practices are consistent with written documentation.
4. Interview(s) with personnel responsible for the process to verify their knowledge of and compliance with agency selection procedures.

### 11.3 Testing

#### ADMINISTRATION

**STANDARD 11.3    The agency requires that candidates accepted for full-time entry level law enforcement officer positions are required to pass a written test as part of the selection process. All verbal and written tests used in the selection process are administered, scored, evaluated and interpreted in a uniform nondiscriminatory manner.**

*Commentary: Elements of the selection process -- time limits, oral instructions, practical problems, answer sheets, and scoring formula --- should be clearly set forth and carried out identically for all candidates.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. If the agency follows Civil Service procedures, verification from Civil Service should be available for review.
2. Documentation describing the methods by which verbal and written tests are administered, scored, evaluated and interpreted should be available for review.
3. Examples of such documents as oral/written instructions, answer sheets, practice problems, time limits should be provided. Such components should be standardized.
4. The criteria against which verbal and written test scores are evaluated and interpreted should be provided (e.g., numerical ranking specification and criteria for coding verbal responses).
5. Records of any verbal or written test results which have been scored, evaluated and interpreted according to the criteria used should be provided.
6. Interviews with personnel who have taken verbal/written tests as part of the selection process to verify that appropriate procedures were followed.
7. If the agency relies on an external organization to administer and/or process, all relevant documentation pertaining to the above should be provided.

## Section 12 - Selection

### New York State Law Enforcement Accreditation Program

#### 12.1 Physical Fitness Requirements

##### ADMINISTRATION

**STANDARD 12.1    The agency requires that candidates accepted for entry level law enforcement officer positions meet or exceed the "Medical and Physical Fitness Standards and Procedures for Police Officer Candidates" established by the Municipal Police Training Council and/or current applicable law.**

*Commentary: Compliance may be demonstrated by providing appropriate personnel records and score sheets. This standard does not apply to part-time police officers. However, agencies that employ part-time officers are encouraged to comply.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Assessors may review agency personnel records to determine compliance with the standards established by the Municipal Police Training Council.
2. For those agencies that are not required to meet Municipal Police Training Council or Civil Service guidelines, assessors should verify that entry level standards meet or exceed the Council requirements.
3. Interview(s) with personnel responsible for the selection process to verify their understanding of and compliance with the selection criteria.

## 12.2 Age Requirements

### ADMINISTRATION

**STANDARD 12.2    The agency requires that the age span for candidates accepted for entry level law enforcement officer positions conforms to Civil Service Law, Section 58, and/or current applicable law.**

*Commentary: Compliance may be demonstrated by providing appropriate records and score sheets. This standard does not apply to part-time police officers. However, agencies that employ part-time officers are encouraged to comply.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Assessors may review agency personnel records to confirm that personnel selection practices used by the agency conform to applicable law.
2. Interview(s) with personnel responsible for the selection process to verify their understanding of and compliance with these guidelines.

### 12.3 Physical Exams

#### ADMINISTRATION

**STANDARD 12.3    The agency requires that the licensed physician or practitioner uses valid, useful and non-discriminatory procedures to examine each candidate prior to the candidate's permanent appointment.**

*Commentary: Agencies must have established procedures that are equivalent to or exceed the standards set by the Municipal Police Training Council.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency could also be acceptable.

1. The name of the licensed physician or practitioner used by the agency may be indicated.
2. The components of the standard physical exam given to each candidate should be provided and cross-referenced with the requirements of the Municipal Police Training Council.
3. Review of agency records to verify that the results of the physical examinations are on file for every officer.

## 12.4 Psychological Screening

### ADMINISTRATION

**STANDARD 12.4 The agency requires that emotional stability and psychological fitness screening is conducted for all full-time and part-time entry level law enforcement officer candidates. Such screening is conducted by a qualified professional.**

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. The name of the licensed professional(s) used by the agency to administer and interpret the results of this screening may be requested.
2. The agency should provide the names of the specific tests used to measure emotional stability and psychological fitness.
3. If the agency uses outside organizations to administer or evaluate these tests, copies of appropriate documentation, contracts, or agreements should be provided.

## 12.5 Background Investigation - **CRITICAL STANDARD**

### ADMINISTRATION

**STANDARD 12.5 The agency requires that a background investigation of each candidate is conducted. An informational package consisting of written instructions and a checklist of tasks that must be accomplished is provided to each officer who conducts such investigations.**

*Commentary: A background investigation should include, but not be limited to: family, education, residences, work record, organizations and affiliations, references and social contacts, credit record, DMV record, military history, county records such as liens and judgments, and criminal history record.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Documentation describing the procedures for such background investigations and the type of information that is gathered should be available for review.
2. Review of all forms, records, or reports used for background investigations.
3. Review of agency files containing records of completed background investigations.
4. A copy of the informational package that is provided to officers who conduct such investigations should be available for review.
5. All documentation examined should demonstrate that background investigations are standardized (e.g., recording/reporting forms, criteria for evaluation, and instruction and task check lists for officers who use them).
6. Interview(s) with agency personnel who serve as background investigators to verify their knowledge of and compliance with this standard.

## 12.6 Oral Interviews

### ADMINISTRATION

**STANDARD 12.6 The Chief law enforcement officer or their designee(s) interviews each candidate prior to the candidate's appointment. Such interviews employ a set of uniform questions, and the results obtained are recorded on standardized forms.**

*Commentary: This standard is not meant to limit the interview to specific questions. Rather, it is to gather additional information that could be made available to background investigators. This also gives the candidates an equal opportunity to respond to the same questions. The interview will give candidates an opportunity to present their own views, and some of these responses may lead to further questioning. It is the intent of this standard that at least one person who participates in the interview process will be a sworn member of the department.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the order establishing this requirement should be available for review.
2. Interviews with the chief law enforcement officer and his designee(s) to verify their knowledge of and compliance with this standard.
3. The set of uniform questions utilized by the agency should be available for review.
4. An example of the standardized recording forms used by the agency should be available for review.
5. Copies of the standardized rating scales used for evaluation should be available for review.
6. Review of agency files containing completed records of oral interview results, standardized recording forms and evaluations.
7. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with agency policies.

## 12.7 Record Maintenance

### ADMINISTRATION

**STANDARD 12.7    The agency requires that records of law enforcement officers who have been selected are maintained for a minimum of six years beyond the duration of their employment.**

*Commentary: These records should include but not be limited to: written exam results, physical agility test results, medical exam results, emotional stability psychological findings, oral interview results and background investigations. The six-year time limit is based on a provision of the New York State Education law. It is recognized that agencies may not have kept such records in the past, but they must begin such record keeping for future compliance.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A listing of all past officers (including dates of termination) should be provided so that assessors can randomly select and review personnel files for compliance with the State Education Law.
2. A review of personnel files to verify agency compliance.

## 12.8 Probation

### ADMINISTRATION

**STANDARD 12.8 The agency requires that entry level law enforcement officers successfully complete a period of probation lasting at least one year from the date of appointment or otherwise as provided by collective bargaining agreements, civil service regulation or law. Written documentation demonstrates that the officers are evaluated at least three times during this period.**

*Commentary: It is the intent of this standard that the agency evaluates the officer periodically throughout the probationary period in order to adequately assess the individual's development and progress.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Documentation should describe the procedures associated with the probationary period. Procedures should address the length of probation as well as the method, criteria, and frequency of evaluation during this period.
2. Assessors may review agency files containing probationary records of officers. If any officers are currently on probation, agency records should indicate when future evaluations are to be made and contain any evaluation reports that have already been completed. If no officers have as yet completed or entered a period of probation, examples of the forms, reports, logs, etc. that will be used should be provided.
3. Examples of forms or logs used by the agency to track the probationary status of officers should be provided.
4. Interview(s) with personnel who are either on probation or who have recently completed probation to determine the extent of their involvement in the evaluation process (i.e., were they aware of the probationary process, did they receive copies of the evaluations, did they receive adequate counseling if performance was less than satisfactory, etc.).
5. Interview(s) with personnel responsible for supervising/administering the probationary evaluation process to determine their knowledge of and compliance with agency policies.

## 12.9 Oath of Office

### ADMINISTRATION

**STANDARD 12.9 The agency requires that all law enforcement personnel take an oath of office to enforce the law and uphold the Constitution of the United States, the Constitution of the State of New York, and any other applicable requirement.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the oath of office taken by sworn personnel should be available for review. It should encompass all constitutional and other requirements.
2. The agency should provide copies of any forms that it may use to record the fact that the oath has been administered.
3. Interview(s) with sworn personnel to verify that they took an oath of office.
4. Interview(s) with personnel responsible for administering the oath of office can be conducted to determine their knowledge of and compliance with agency requirements.

## Section 13 – Performance Evaluations

New York State Law Enforcement Accreditation Program

### 13.1 Performance Evaluation System - **CRITICAL STANDARD**

#### ADMINISTRATION

**STANDARD 13.1 The agency has a written directive that establishes and describes an annual personnel performance evaluation system which will include:**

- A. The period for which their performance will be evaluated;**
- B. Who the rater(s) will be;**
- C. The criteria by which they will be evaluated;**
- D. The results of the evaluation;**
- E. A review process for contested evaluation reports; and,**
- F. Every rater involved with the personnel performance evaluation system must receive instruction in rating procedures and rater responsibilities as a precondition of such involvement.**

*Commentary: A performance evaluation system is used to evaluate the work performance of an employee. It should be viewed as a basic measurement instrument that serves both management and the individual employee. The type of system used by various agencies will vary considerably, but it remains the responsibility of the chief law enforcement officer to establish a system that meets the need of the agency. The practice of documenting personnel evaluations not only incorporates good management principles, but is supported by court decisions. Constant attention to the system and proper training of the raters will foster fair and impartial personnel decisions, maintain and improve performance and provide a fair and objective means of measuring performance in accordance with prescribed guidelines.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Examples of all reports, forms or logs used in this system should be provided.

### **STANDARD 13.1 (Continued)**

3. Completed evaluation forms should be reviewed to verify that all aspects of the process are being implemented.
4. Interview(s) with supervisory and subordinate personnel to verify their understanding of and compliance with this standard.
5. Written documentation or lesson plans used to instruct raters should be available for review by assessors.
6. Records or training rosters documenting the raters' timely instruction should be reviewed.
7. Interview(s) with supervisors who have received rater training to verify their understanding of the rating procedures and responsibilities.

## Section 14 - Discipline

### New York State Law Enforcement Accreditation Program

#### 14.1 Rules of Conduct - **CRITICAL STANDARD**

##### ADMINISTRATION

STANDARD 14.1 **The agency has a written directive specifying the rules of conduct and appearance for sworn personnel.**

#### Compliance Verification Strategies

The agency may seek to prove compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews with selected personnel will verify that agency personnel understand the rules of conduct and appearance.
3. Observations of agency personnel can be conducted to verify that the policy is being followed.

## 14.2 Court Appearances

### ADMINISTRATION

**STANDARD 14.2 The agency has a written directive regarding court attendance and professional conduct in court-related proceedings by sworn personnel.**

*Commentary: The intent of this standard is to have each officer present a professional image in all court-related appearances. Examples of these may include coroner's inquests, motor vehicle hearings, parole hearings, depositions, and all trial proceedings.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the policy that establishes these guidelines should be available for review.
2. Interview(s) with agency personnel to verify their understanding of and compliance with this policy.

### 14.3 Legislative Restrictions on Officers

#### ADMINISTRATION

**STANDARD 14.3 The agency requires that each officer receives a written directive which specifies the legislative restrictions placed on officers, and outlines exceptions and procedures for disclosure where applicable.**

*Commentary: The intent of this standard is to inform recruit officers, and remind other officers, of the major restrictions imposed by law on police officers.*

*The Alcoholic Beverage Control Law prohibits police officers from having any interest in the sale or manufacture of alcoholic beverages (ABCL, §128).*

*The Election Law, (EL, §17-110) prohibits a police officer from using his office or powers to aid or oppose any political party, to reward or retaliate against any police officer with respect to voting or party affiliation, or to solicit funds for a political party or other such organization.*

*The Racing, Wagering and Breeding Law (RWBL, §107) prohibits police officers from holding any office or employment with any firm that is licensed to conduct pari-mutual racing; conducts its business at racetracks where pari-mutual race meets are conducted; owns or leases to a licensed entity racetrack at which pari-mutual racing is conducted, or participates in the management of any licensee conducting pari-mutual racing.*

*State and Municipal police officers are also subject to the provisions of Public Officers Law, Article 4 and General Municipal Law, Article 18, respectively. These statutes deal mainly with conflicts of interest. They impose certain prohibitions on activities by public officers and employees of municipal governments. The proscribed activities include:*

- a. *Acceptance of gifts worth more than \$75.*
- b. *Disclosure of confidential information learned in the course of official duties.*
- c. *Receiving compensation for providing services relating to matters before an agency of which they are an employee.*

*(continued on next page)*

### **STANDARD 14.3 (Continued)**

*Commentary (continued):*

*The same law also imposes several affirmative duties, including:*

- a. Disclosure of any interest in any contract or dealings with the employing government.*
- b. Disclosure of the fact that a municipal or State employee has an interest in any real property for which an application for any sort of variance is made.*
- c. Effective January 1, 1991, annual filing of financial disclosure forms is required of certain employees.*

*These statutes also contain or authorize the adoption of codes of conduct for State or municipal employees, as the case may be, relating to conflicts of interest.*

### **Compliance Verification Strategies**

Assessor may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify their understanding of and compliance with this directive.

**14.4 Disciplinary System - CRITICAL STANDARD**

ADMINISTRATION

- STANDARD 14.4 **The agency has a written directive that establishes a disciplinary system identifying the legal or contractual authority under which the system will proceed.**
- A. The directive specifies the procedures for the maintenance of records of disciplinary actions.**
  - B. The directive specifies the circumstances in which an employee may be relieved from duty.**
  - C. The directive specifies the role of supervisory and command staff in the disciplinary process and the authority of each level thereof relative to disciplinary actions.**

*Commentary: A disciplinary system should address such items as: procedures and criteria for using remedial training as a function of discipline; procedures and criteria for using counseling as a function of discipline; procedures and criteria for punitive actions in the interest of discipline, including oral reprimands, written reprimands, loss of leave, suspension, demotion, dismissal; and, procedural safeguards for the recognition of employment rights provided by applicable statutory, case law and collective bargaining agreements. It is also the intent of the standard to establish the powers and authority of each command level, including supervisory levels, for relieving officers from duty. Such relief may be a temporary administrative action due to an employee's physical or psychological fitness for duty or the results of an internal affairs investigation.*

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify their knowledge and understanding of the disciplinary system.
3. Interview(s) with supervisory and command staff to verify their knowledge and understanding of their role in the disciplinary system.

**14.7 Sexual Harassment - CRITICAL STANDARD**

ADMINISTRATION

**STANDARD 14.7 The agency has a written directive prohibiting sexual harassment in the work place and provides a means by which sexual harassment can be reported, including when the offending party is in the complainant's chain of command. The directive must specify that the agency will not retaliate against an individual who makes a report of such objectionable conduct nor permit any member of the agency to do so.**

*Commentary: There are several means by which an agency can limit its exposure to liability as a result of sexual harassment by its employees. These means include: strong policies and directives that prohibit such conduct; immediate and thorough investigation of any allegation of sexual harassment; effective and appropriate disciplinary action in any case where allegations of sexual harassment can be substantiated; and efforts to make agency employees aware of their responsibilities and the legal issues involved. See glossary for the definition of sexual harassment.*

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with the person(s) responsible for receiving complaints and reviewing reports of sexual harassment to verify that:
  - a. All members have a thorough understanding of their respective roles.
  - b. Appropriate procedures are being followed.

## Section 15 - Promotions

### New York State Law Enforcement Accreditation Program

#### 15.1 Process

##### ADMINISTRATION

**STANDARD 15.1 The agency has a written directive governing the process for promotion. The directive defines the role of the agency in the promotion process and identifies the position or agency responsible for administering the agency's role. Procedures used for promotion are job related and nondiscriminatory.**

**The written directive establishes criteria and procedures for the development and use of eligibility lists, if any, to include at a minimum:**

- A. The numerical weight, if any, assigned to each eligibility requirement;**
- B. The system of ranking eligible employees on the lists;**
- C. The duration of the lists;**
- D. Written certification of eligible employees; and**
- E. The system for selecting names from the lists.**

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with the person(s) responsible for administering the agency's role to verify that:
  - a. They have a thorough understanding of their role.
  - b. Appropriate procedures are being followed.
3. Agency files and records associated with the promotion process should be examined to verify procedural compliance.

## **STANDARD 15.1 Continued**

4. It is recognized that an agency that follows Civil Service guidelines in the promotional process will meet the guidelines of this standard.
5. If the agency relies on the Civil Service system for promotions, then documentation to that effect should be provided.
6. For those agencies that do not use Civil Service guidelines for promotions, agency testing processes (written and oral) should be evaluated as being administered, scored, evaluated and interpreted in a uniform, non-discriminatory manner. Examples of written tests and/or the formats used for oral tests can be provided.
7. The method(s) used to determine numerical weights and the manner in which they are assigned should be described where applicable.
8. All procedures used for promotion should be documented as being consistent and uniform for all personnel.
9. A copy of eligibility lists should be provided.

## Section 16 - Grievances

### New York State Law Enforcement Accreditation Program

#### 16.1 Grievance Procedures

##### ADMINISTRATION

**STANDARD 16.1    The agency has a written directive or agreement that outlines a grievance procedure.**

*Commentary: The purpose of this standard is to outline procedures for submitting and responding to grievances. These procedures should be consistent with applicable collective bargaining agreements.*

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive or collective bargaining agreement addressing grievance procedures should be available for review.
2. Examples of all reports, forms, records and files utilized and/or maintained in the appeal process should be available for review.
3. Interview(s) with employees who are involved in the grievance process to verify that appropriate procedures are being followed.

## Section 17 - Awards

### New York State Law Enforcement Accreditation Program

#### 17.1 Procedures and Criteria

##### ADMINISTRATION

**STANDARD 17.1    The agency has a written directive that identifies procedures and criteria for recognizing employees.**

*Commentary: The directive may include but not be limited to letters of commendation, compensation, and awards for merit and valor.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify that:
  - a. Personnel are aware of the directive; and that
  - b. The directive is being complied with.
3. A copy of names, forms or other types of written documentation may be included that would indicate compliance with this directive.

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## **IV. USE OF FORCE**

## Section 20 – Use of Force

New York State Law Enforcement Accreditation Program

### 20.1 Necessary Force - **CRITICAL STANDARD**

#### ADMINISTRATION

**STANDARD 20.1    The agency has a written directive that requires personnel to use only the force necessary to effect lawful objectives consistent with Article 35 of NYS Penal Law.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify that:
  - a. Personnel are aware of the directive.
  - b. The directive is clearly understood.
3. The directive should be compared with Article 35 of the N.Y.S. Penal Law. The directive may be more restrictive than Article 35 but not less restrictive.

## 20.4 Warning Shots

### ADMINISTRATION

STANDARD 20.4 **The agency has a written directive regarding the discharge of warning shots.**

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel to verify that sworn personnel understand the requirements of the directive.
3. A random review of the manuals of agency personnel may ensure that this directive was appropriately distributed.

## 20.5 Carrying of Firearms

### ADMINISTRATION

**STANDARD 20.5 The agency has a written directive that requires all sworn personnel engaged in field assignments to carry a firearm in the performance of their duties. The directive must:**

**A. Address the use and carrying of departmental firearms and ammunition on and off-duty.**

*Commentary: Examples of field assignments include, but are not limited to: patrol functions (e.g., bicycle, foot, marine, mounted, vehicle and canine patrols) and investigative operations.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive addressing all components of the standard should be available for review.
2. Interviews and observations to help verify:
  - a. That sworn personnel are aware of and understand the requirements and procedures of the directive;
  - b. That appropriate procedures required by the directive are being followed; and
  - c. That sworn personnel are complying with the conditions of the standard.

## 20.6 Less-Than-Lethal Substances/Devices

### ADMINISTRATION

**STANDARD 20.6     The agency has a written directive regarding the use of less-than-lethal substances and devices by agency personnel.**

*Commentary: This standard will ensure the proper use of less-than-lethal substances and devices including, but not limited to, chemical agents, tear gas, impact weapons and batons. The agency should also identify any prohibitions against the carrying of such weapons.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews to verify that:
  - a. Sworn personnel are aware of and understand the requirements and procedures of the policy.
  - b. Appropriate procedures are actually being followed.

## 20.7 Reporting Requirements - **CRITICAL STANDARD**

### ADMINISTRATION

**STANDARD 20.7     The agency has a written directive requiring submission of a written report whenever an officer takes an action that results in, or is alleged to result in injury or death of another person.**

*Commentary: This standard is designed to protect the officer and the agency against potential lawsuits. The report should address the use of force and the use of lethal and less-than-lethal substances and devices.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Examples of the forms used for such written reports should be provided.
3. Assessors may review agency files (if any) which document the use of force so that they can verify that all relevant procedures are being followed.
4. Interview(s) with personnel responsible for coordinating/reviewing the use-of-force reports to verify their knowledge of and compliance with agency policy.

## Section 21 – Agency Review

### New York State Law Enforcement Accreditation Program

#### 21.1 Review of Firearms Use

##### ADMINISTRATION

**STANDARD 21.1    The agency has a written directive to document, review and dispose of any incident wherein an officer discharges a firearm other than in training or for lawful recreational purposes.**

*Commentary: The agency should have a firearms incident review policy to ensure that firearms are used correctly, to evaluate the need for further training, and to evaluate the adequacy of the firearms and ammunition for the incident. The process should evaluate the circumstances and results of the incident and include a review of on and off-duty incidents, accidental discharges and the destruction of animals regardless of whether the incident occurred in or outside of the geographical area of employment.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review. The documentation should describe:
  - a. How the process is carried out and by whom;
  - b. The procedures used to document such incidents (e.g., how information pertaining to the incident is compiled and examples of any forms and reports used);
  - c. The procedures and criteria used to review the incident; and
  - d. The procedures and criteria used to resolve the incident.
2. Agency files (including completed disposition reports) should be checked for records of any such incidents. If no such incidents have been documented since the implementation of the standard, examples of the forms, reports, etc. that will be used in the future should be available for review.
3. Interview(s) with personnel responsible for the function to verify their knowledge of and compliance with this process.

## 21.2 Review of Force Causing Injuries

### ADMINISTRATION

**STANDARD 21.2     The agency has a written directive which requires an internal process for the documentation, review and disposition of any incident wherein an officer takes an action that results in or is alleged to have resulted in injury or death of another person.**

*Commentary: The intent of this standard is to ensure that incidents are properly documented and fully investigated. The process will ensure that the rules and regulations of the agency are followed, that documentation is maintained in the event of future litigation, that the need for further training is evaluated, and that incidents involving the use of force are properly reviewed.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review. It should describe:
  - a. How the process is carried out and by whom;
  - b. The procedures used to document such incidents (e.g., the methods and forms that should be used when compiling information);
  - c. The procedures and criteria used to review the incident; and
  - d. The procedures and criteria used to resolve the incident.
2. Agency files should contain records of all such incidents, including completed disposition reports. If no such incidents have been documented since the implementation of the standard, examples of the forms and reports that will be used in the future should be provided.
3. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with this process.

## **V. INTERNAL AFFAIRS**

## Section 25 – Internal Affairs

New York State Law Enforcement Accreditation Program

### 25.1 Function - **CRITICAL STANDARD**

#### ADMINISTRATION

- STANDARD 25.1 **The agency has a written directive that specifies the activities of the internal affairs function. The directive shall include the following:**
- A. Recording, registering and controlling the investigation of complaints against officers;**
  - B. Supervising and controlling the investigation of alleged or suspected misconduct within the agency;**
  - C. Maintaining the confidentiality of the internal affairs investigation and records; and,**
  - D. Identify the position or individual designated within the agency as being responsible for the internal affairs function with the authority to report directly to the agency's chief law enforcement officer.**

*Commentary: The internal affairs function is vital to the integrity of the agency. Fundamental fairness to all participants must be guaranteed through impartial investigations and review. The Chief law enforcement officer has the primary responsibility for this function and all reports or accusations made against members of the agency should be completely investigated.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A copy of the organizational chart to verify the direct connection between internal affairs and the agency's chief law enforcement officer.
3. Agency files pertaining to this function should be examined, including reports, logs, complaint forms, internal investigation records, and documents used for recording and registering such incidents.
4. Interview(s) with personnel responsible for the control, undertaking and supervision of internal investigations to verify their knowledge of and compliance with the standard.
5. Observation of internal affairs files to verify limited access and security. These files should be locked and placed in a restricted area of the agency's facility.

## 25.2 Investigating Complaints

### ADMINISTRATION

**STANDARD 25.2    The agency has a written directive that defines the types of complaints to be investigated by line supervisors and those which are to be investigated and maintained by the agency's internal affairs function.**

*Commentary: Examples of serious categories of complaints which should be investigated include, but are not limited to: corruption, brutality, death or serious injury, criminal misconduct and breach of civil rights. An agency must provide for the review of these types of investigations by a higher authority.*

*Other categories of less serious complaints that might be investigated by an immediate supervisor include, but are not limited to: officer tardiness, officer rudeness and insubordination.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Review of agency records pertaining to such complaints.
3. All forms and reports used in such investigations should be provided.
4. Interview(s) with personnel responsible for internal affairs and line supervisors to verify their understanding and knowledge of the types of complaints that must be investigated.

## 25.6 Notification of Disposition

### ADMINISTRATION

**STANDARD 25.6     The agency has a procedure to notify the complainant that complaints against the agency or its employees will be investigated and administratively handled.**

*Commentary: The agency should advise the complainant that a complaint is being investigated. Pursuant to §50-a of the Civil Rights Law, the agency need only advise the complainant that the matter is being administratively handled.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Examples of the method of notification that the agency uses should be provided.
2. Interviews with personnel responsible for making such notification to verify their knowledge of and compliance with this standard.
3. A review of agency files may verify that the agency routinely notifies complainants.

## 25.8 Liaison with Prosecutor's Office

### ADMINISTRATION

**STANDARD 25.8    The agency maintains a liaison with the prosecutor's office in investigations involving alleged criminal conduct on the part of any employee.**

*Commentary: Participation by the prosecutor's office maintains public confidence in the internal affairs function. Compliance with this standard may be shown by written policy and/or documentation or routine notification to the prosecutor's office for legal advice involving criminal activity.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Examples of any forms used in maintaining liaison should be available.
2. Interview with the prosecutor's office to verify this liaison effort.
3. Copies of any investigations in which the prosecutor's office has been involved will also help to establish compliance.
4. Interview(s) with personnel responsible for the internal affairs function to verify their knowledge of and compliance with this standard.

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## **VI. PUBLIC RELATIONS**

## Section 28 – Public Information

### New York State Law Enforcement Accreditation Program

#### 28.1 Responsibility

##### ADMINISTRATION

- STANDARD 28.1    **The agency has a written directive that specifies the position(s) in the agency responsible for the public information function and indicates who may release information to the news media:**
- A.    At the scene of an incident;**
  - B.    From agency files;**
  - C.    Concerning an ongoing criminal investigation, and;**
  - D.    At any time the public information officer is not available.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.    A copy of the written directive should be available for review.
2.    Interview(s) with personnel responsible for this function can be conducted to verify their knowledge of and compliance with the directive.
3.    Interview(s) with agency personnel not responsible for this function can be conducted to verify their understanding of and compliance with the directive.
4.    A review of examples of news releases to verify that they are consistent with the agency directive.

## 28.2 Media Access

### ADMINISTRATION

**STANDARD 28.2    The agency has a written directive that governs the access of media representatives, including photographers, to scenes of incidents.**

*Commentary: The directive should include such incidents as major fires, natural disasters, other catastrophic events and any scenes which may draw media attention.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews with personnel to verify their knowledge of the written directive and the procedures associated with it.

### 28.3 Fair Trial and Free Press Guidelines

#### ADMINISTRATION

**STANDARD 28.3    The agency has a written directive that requires any information released to the news media regarding ongoing criminal investigation(s) conforms to the New York State Fair Trial Free Press Guidelines.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review. At a minimum it should specify:
  - a. The type of information that may be released;
  - b. The conditions under which information may or may not be released.
  - c. The types of investigations for which information may be released.
2. A review of agency procedures with the Fair Trial/Free Press guidelines<sup>2</sup> to assure that the procedures are complete.
3. Interview(s) with those responsible for the release of information should be conducted to verify their knowledge of and compliance with these guidelines.
4. Copies of press releases attached to agency case files may help to verify compliance.

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<sup>2</sup> Information about the Fair Trial/Free Press Guidelines may be obtained through the American Bar Association ([www.americanbar.org](http://www.americanbar.org)) and New York State Bar Association ([www.nysba.org](http://www.nysba.org)) websites.

## Section 29 – Community Relations

### New York State Law Enforcement Accreditation Program

#### 29.1 Responsibility

##### ADMINISTRATION

**STANDARD 29.1     The agency has a written directive identifying the person(s) or component within the agency responsible for the community relations function.**

*Commentary: Law enforcement agencies are often called upon, usually through speaking engagements, to advise and inform the public about various topics, such as crime prevention, personal safety and police activities. In order to coordinate the department's efforts, it is essential to designate a person to be responsible for such assistance to the public. However, the designated person may delegate to different units, according to specialty, assignments to meet the public requests.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel responsible for those functions to verify their knowledge of and compliance with the standard.
3. A review of records which demonstrate that community relations are an active function within the agency.

## 29.2 Role of Personnel

### ADMINISTRATION

**STANDARD 29.2     The agency requires that the responsibility for achieving the agency's community relations objectives is shared by all personnel.**

*Commentary: All personnel in the agency, both sworn officers and civilians, should project a positive image and become involved in community needs. The conduct of each employee reflects on the agency as a whole, and the burden of achieving the agency's community relations objectives should be shared. Every employee must be aware of the different programs that the agency has so that they can inform the community.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Documentation which establishes these objectives should be available for review.
2. Examples of existing community relations programs should be provided.
3. Interview(s) with agency personnel to verify their knowledge and understanding of these objectives.
4. A review of agency records and/or logs associated with the community relations function to verify compliance with the standard.

### 29.3 Crime Prevention

#### ADMINISTRATION

**STANDARD 29.3     The agency requires that the responsibility for achieving the agency's crime prevention function is shared by all personnel.**

*Commentary: All personnel, both sworn officers and civilians, should be aware that they have a responsibility to assist the public in protecting themselves against criminal acts. All personnel should be aware of agency policies and the different crime prevention programs available so that they can inform the community about them.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A description of the agency's crime prevention function should be available for review.
2. The agency should be able to document how it goes about achieving its crime prevention objectives.
3. Interview(s) with agency personnel can be conducted to verify their understanding of the agency's crime prevention objectives and of any responsibilities that they may have in this area.
4. Interview(s) with personnel primarily responsible for this function can be conducted to verify their knowledge of and compliance with the standard.

## 29.4 Crime Victims

### ADMINISTRATION

Standard 29.4      **The agency has a written directive that requires agency personnel to comply with all applicable provisions of law regarding crime victim compensation and services.**

*Commentary: Every victim who reports a crime must be supplied by the person receiving the report with information and forms explaining the availability of victim compensation and other services. In addition, every law enforcement agency must have available written information supplied by Crime Victims Board explaining the availability of crime victim compensation and victim services. The provisions of law regarding crime victim compensation and services can be found in the NYS Executive Law, Article 22.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Forms and booklets relating to the Crime Victims Compensation Board must be available to the public at the law enforcement agency.
3. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this legislation.

## 29.5 Sex Offense Victims

### ADMINISTRATION

**STANDARD 29.5     The agency has a written directive that ensures victims of sex offenses and/or incest are afforded the proper protections in accordance with the provisions of §642, subdivision 2-a, of the Executive Law.**

*Commentary: Such provisions require that victims receive appropriate care to facilitate the reporting process.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this legislation.
3. Interview(s) with agency personnel responsible for the investigation of sex crimes to verify their knowledge of rape crisis services available in their areas.
4. A review of agency handouts that identify county rape crisis facilities.
5. Observation of the private setting used for the interview of sex crime victims.

## 29.6 Sex Offender Management

### ADMINISTRATION

**STANDARD 29.6    The agency has a written directive concerning sex offenders living within their jurisdiction. As a minimum, this directive shall provide for:**

- A.    Community notification made to those deemed as potential vulnerable populations.**
- B.    Permitting the agency to verify a sex offender’s address and to secure a warrant for arrest when appropriate.**

*Commentary: Agencies should understand that they have the need to protect the community and that the law allows for notification by the agency when a sex offender is residing in the community. Sex offenders are required to submit an annual address verification form to DCJS to report their actual physical address. Failure to do so is a felony.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.    A copy of the written directive should be available for review.
2.    Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this directive.
3.    Review documents used for community notification.
4.    Review documentation to verify offender’s non-compliance.

## **TRAINING STANDARDS**

## Section 32 - Basic

### New York State Law Enforcement Accreditation Program

#### 32.1 Basic Course

##### TRAINING

**STANDARD 32.1    The agency requires that all sworn officers are not authorized, permitted or assigned to perform regular law enforcement duties until they have successfully completed a basic course for police officers within one year of appointment date. This course must meet or exceed the requirements established by the Municipal Police Training Council. Officers who have not completed the basic course can, however, perform regular police duties if they are accompanied by, and under the direct supervision of a law enforcement officer who has successfully completed such a course.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A review of training records of sworn officers to verify successful completion of a basic school.
2. A copy of the course curriculum and lesson plans should be provided if the course was not approved by the Municipal Police Training Council. The assessor should verify that the course meets or exceeds Council requirements.
3. Interview(s) with agency personnel to verify the accuracy of training records and agency compliance with the standard.
4. Interview(s) with agency personnel responsible for the training function to verify their knowledge of and compliance with this standard.

### 32.3 Firearms Training

#### TRAINING

**STANDARD 32.3     The agency requires that officers are not authorized or permitted to carry or use any firearm in connection with the performance of their official duties, with the exception of authorized departmental firearms training, unless such officers have satisfactorily completed that portion of an approved Municipal Police Training Council Program or a program that meets or exceeds those requirements that constitute the basic course of instruction in the use of deadly physical force and in the use of firearms.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Agencies that do not use a course approved by the Municipal Police Training Council to instruct officers in the use of deadly physical force and firearms should provide copies of the course curriculum and lesson plans.
2. A review of officer training records. These records should include appropriate test results and written evaluations. A listing of officers authorized to carry or use firearms should be provided by the agency for comparison purposes.
3. Interview(s) with agency personnel responsible for the training function to verify compliance with the standard.
4. Interview(s) with recruit officers to verify that appropriate training was received prior to carrying a firearm.

### 32.4 Use of Less-Than-Lethal Substances/Devices

#### TRAINING

**STANDARD 32.4     The agency has a written directive that requires officers be trained in the proper use of less-than-lethal substances, and other devices in which they did not receive training in the basic course for police officers. All officers using these less-than-lethal substances and other devices must successfully complete an initial training course prior to issuance, and periodic training thereafter.**

*Commentary: Training is important to ensure the proper use of these less-than-lethal substances and devices. Examples of less-than-lethal substances and devices include but are not limited to: chemical (pepper spray), electrical (stun devices and projectiles), kinetic energy projectiles (shot bags and ring airfoil projectiles), nets (baton and projectile launched) and fleeing vehicle interdiction mechanisms.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews with agency personnel to verify their knowledge of and compliance with the directive.
3. Review agency training records to verify compliance with the standard.

### 32.5 Field Training

#### TRAINING

**STANDARD 32.5**    **The agency has a field training program. This program must last a minimum of 160 hours for recruit officers with no prior police experience and be completed at the earliest possible date. The recruit officer must be accompanied and supervised by a field training officer and will not be assigned to work alone until such training is satisfactorily completed. The program should include, but not be limited to:**

- A. Daily written evaluations;**
- B. Specific performance criteria; and**
- C. Observed interaction with the public.**

*Commentary: Field training is an extension of academy training and offers a transition period between the theory and role play of the academy and the work conditions of the job.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the field training program should be available for review.
2. A review of field training records to verify that training practices comply with agency procedures and that the training is completed for all recruits in a timely manner.
3. Interview(s) with personnel responsible for supervising/coordinating the field training program can be conducted to verify their knowledge and understanding of the function.
4. Interview(s) with field training officers(s) and recruits to verify compliance with the standard.

## Section 33 – In-Service

### New York State Law Enforcement Accreditation Program

#### 33.1 Length and Content - **CRITICAL STANDARD**

##### TRAINING

**STANDARD 33.1**     **The agency requires that all sworn personnel<sup>3</sup> receive at least 21 hours of in-service training annually. This training includes, at a minimum, firearms training, legal updates, a review of the use of force and the use of deadly force. The agency maintains records documenting all topics that are covered during the training.**

**A.     Firearms training shall include actual time spent on the firing range.**

*Commentary: This training can be fulfilled through the use of formalized and documented training sessions where lesson plans and attendance records are maintained. This may include classroom training, roll call or video presentations. Each officer must demonstrate specific proficiency as established by the chief law enforcement officer. It is recommended that interactive judgment training be incorporated into the use of force/deadly force component.*

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A review of training records to determine that all officers have either met or will meet the annual 21-hour training requirement. Specific topics listed in the standard must be included as part of the scheduled training.
2. Interview(s) with agency personnel to verify the accuracy of the training records.
3. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the in-service requirement.

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<sup>3</sup> 'All sworn personnel' refers to both full and part-time employees.

### 33.2 Instructor Qualifications

#### TRAINING

**STANDARD 33.2     The agency must use certified instructors to provide and/or approve the required 21-hour in-service training. This certification must be in accordance with instructor standards and qualifications set forth in Part 6023 or 6024 of the New York State Codes, Rules, and Regulations. If the proposed instructor has not been certified, a certified instructor must review and approve the content of the lesson plans.**

*Commentary: Law enforcement agencies that do not come under the purview of the Municipal Police Training Council must have written instructor standards and qualifications. Evidence must show that certified instructors review lesson plans of non-certified instructors.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Provide a list of instructors that it uses as well as records verifying that they have been certified in accordance with Part 6023 or 6024 of N.Y.S. Codes, Rules and Regulations.
2. If the agency establishes its own standards and qualifications for instructors, provide a copy of the standards and qualifications for review. They should be consistent with those set forth in Part 6023 or Part 6024. Records must be provided to verify that instructors have satisfactorily met all requirements.
3. If the qualifications of an instructor are unknown, documentation that a certified instructor has reviewed and approved the content of the lesson plan should be available for review.
4. Interview(s) with personnel responsible for the training function to verify their knowledge and understanding of the certification requirement.
5. Interview(s) with personnel used by the agency as instructors to verify both their certification and the accuracy of agency records.

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*This Standard was revised by the NYS Law Enforcement Agency Accreditation Council on March 8, 2012.*

### 33.3 Specialized Training

#### TRAINING

**STANDARD 33.3     The agency identifies the positions for which unit, specialized technical and job-specific training is required to adequately perform the tasks. All sworn personnel filling these positions must successfully complete an initial training course in a timely manner in their area of specialization and attend periodic in-service training courses to update their skills.**

*Commentary: A specialist is defined as any officer who uses equipment that requires training beyond that supplied in the basic school. Examples of positions that require unit, specialized technical and job-specific training include, but are not limited to firearms, canine, aviation, SWAT, SCUBA, bomb disposal, mounted patrol, investigative specialists and operators of deception detection devices.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with the standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Provide documentation which identifies all specialized positions, the technical training that is required for each, and a listing of all persons assigned to fill these technical positions.
2. A review of training logs, records, files, certificates etc. to document both timely initial training and periodic in-service training.
3. Provide a schedule or timetable showing that each person in a technical position either has attended or is scheduled to attend appropriate in-service training.
4. Provide the name of the agency or organization that administers the initial and in-service training courses. Information pertaining to the location, duration and curriculum used should be on file.
5. A review of training logs, records and evaluations of any specialized in-service courses which officers have already attended.
6. Interview(s) with personnel designated as being in specialized positions should be conducted to verify the accuracy of agency records and agency compliance with the standard.

## Section 34 – Supervisory Training

### New York State Law Enforcement Accreditation Program

#### 34.1 First-Line Supervisors

##### TRAINING

**STANDARD 34.1 The agency requires that all first-line supervisors successfully complete a police supervision course within one year of appointment that meets or exceeds Municipal Police Training Council course requirements. If the one year time limit cannot be met by the agency, the agency must provide documentation that an extension has been obtained.**

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. The agency should provide a list of first line supervisors along with the dates of their appointment. First line supervisors who have occupied their position for more than one year must have completed a police supervision course.
2. Agencies which sponsor supervisory training other than that approved by the Municipal Police Training Council should provide a copy of the police supervision course curriculum and lesson plans that meet or exceed Council requirements.
3. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the standard.
4. Interview(s) with first line supervisor(s) to determine the accuracy of agency records.
5. There may be some instances where a police supervision course is not sponsored within a reasonable distance of the agency. If this is the case, the agency must be able to document that is made a legitimate effort for new supervisors to attend supervisory schools in a timely manner.

### 34.2 Annual Supervisory Training

#### TRAINING

**STANDARD 34.2     The agency requires that all supervisors receive annual training to enhance supervisory skills.**

*Commentary: It is the intent of this standard to continually provide supervisory skill level training to all supervisors. Various mechanisms are available to meet this training, such as private industry, professional seminars, college courses, and video. This supervisory skills training may be included in the overall 21 hours of annual in-service training.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Should provide for review, an agency plan indicating when and how supervisors will annually attend such training.
2. Should provide records documenting the annual attendance of supervisors at annual supervisory training.
3. Interview(s) with supervisors to determine the accuracy of agency records and compliance with the standard.
4. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the standard.

## Section 35 – Training Records

### New York State Law Enforcement Accreditation Program

#### 35.1 Personnel Training Records

##### TRAINING

**STANDARD 35.1    The agency requires that training records are up-to-date and properly documented for all sworn personnel.**

*Commentary: This standard concerns the employees' individual training record. These records should include basic, in-service and specialized training courses whether sponsored by the agency or not. These records should include, but not be limited to, such information as dates attended, total hours and name of the course.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A review of personnel training records to verify that they are up-to-date and properly documented.
2. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the standard.
3. Interview(s) with randomly selected personnel to verify the accuracy of the training records.

### 35.2 Training Courses

#### TRAINING

**STANDARD 35.2    The agency has accurate records available for all training courses attended by sworn personnel. Copies of the lesson plans, course curriculum or course description are maintained indefinitely.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A review of agency records pertaining to training courses completed by its members.
2. Provide official copies of course curricula for review.
3. Interview(s) with personnel responsible for maintaining training records to verify their knowledge of and compliance with this standard.
4. Interview(s) with agency personnel who are listed on attendance sheets to verify the accuracy of these records.

### 35.3 Agency Sponsored Courses

#### TRAINING

**STANDARD 35.3     The agency maintains accurate records for all training courses that it sponsors. Lesson plans and an official copy of the course curriculum are maintained indefinitely.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A review of training records for all courses that the agency has sponsored.
2. Provide copies of the curricula and all lesson plans for each course sponsored by the agency.
3. Interview(s) with personnel responsible for maintaining training records to verify agency compliance with the standard.

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## **OPERATIONAL STANDARDS**

### **I. PATROL**

## Section 39 - Patrol

### New York State Law Enforcement Accreditation Program

#### 39.1 Patrol Function Tasks

##### OPERATIONS

STANDARD 39.1 **The agency has a written directive that describes the various tasks associated with the patrol function. It may include, but not be limited to, such activities as traffic control, maintaining law and order, enforcing laws, crime prevention and responding to calls for service.**

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Observation of the patrol component to verify personnel knowledge and understanding of the function.
3. Interview(s) with patrol personnel to verify their knowledge of and compliance with the directive.

## Section 40 – Patrol Functions

### New York State Law Enforcement Accreditation Program

#### 40.1 Responsibilities of Patrol Officers

##### OPERATIONS

**STANDARD 40.1     The agency has a written directive that identifies the categories of crimes and incidents wherein patrol officers are responsible for conducting preliminary and/or follow-up investigations(s) and preparation of reports.**

*Commentary: In some incidents, a patrol officer will be able to conduct both the preliminary and follow-up investigations. In other situations, follow-up investigations may be conducted by investigative or other specialized units. This should be established by the agency.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A review of Investigative reports to determine if crimes and incidents are being investigated in accordance with agency policy.
3. Interview(s) with both patrol and plain clothes officers to determine if they understand and follow the agency's investigative policies.

## 40.2 Supervisor Responsibilities

### OPERATIONS

**STANDARD 40.2     The agency has a written directive(s) that identifies the circumstances when a supervisor is required at the scene of an incident.**

*Commentary: The chief law enforcement officer must establish a procedure that would give direction to subordinates as to when a supervisor is required at an incident scene.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A review of records and reports documenting such incidents. They should indicate that a supervisor was present whenever the agency directive would require it.
3. Interview(s) with supervisory personnel to verify their knowledge and understanding of this directive.
4. Interview(s) with patrol officers to verify their knowledge and understanding of the directive and to verify that the agency's directive is being implemented.

### 40.3 Command Protocol

#### OPERATIONS

**STANDARD 40.3     The agency has a written directive(s) that defines command protocol for situations involving personnel of different components engaged in a single operation.**

*Commentary: It should be clearly stated who is in command of a particular operation when personnel from two or more components are included in a single operation. Command protocol should clarify who is in charge if patrol and detective personnel are present at the scene of an incident.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with supervisory staff to verify their knowledge and understanding of this directive.
3. A review of reports describing incident(s) in which personnel from different components were engaged in a single operation to determine if the officers acted in compliance with the directive.

## Section 41 - Equipment

### New York State Law Enforcement Accreditation Program

#### 41.1 Vests

##### OPERATIONS

**STANDARD 41.1    The agency requires that a soft body armor vest or jacket is provided to every officer whose regular duties are such that they may expose the officer to serious physical injury which may result in death or disability.**

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Provide a copy of agency procedures for requesting and issuing vests.
2. Interview(s) with personnel to determine if a soft body armor vest is provided to every officer whose assignments fit the criteria specified in the standard.
3. Interview(s) with personnel responsible for reviewing/authorizing requests for purchases of soft body armor to verify their knowledge of and compliance with the standard.

## 41.2 Use of Emergency Equipment

### OPERATIONS

STANDARD 41.2     **The agency has written guidelines for the use of authorized emergency equipment on police vehicles.**

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the guidelines should be available for review.
2. Interview(s) with agency personnel who operate police vehicles to verify their understanding of and compliance with the guidelines.

### 41.3 Authorized Equipment

#### OPERATIONS

STANDARD 41.3     **The agency has a written directive that designates specifications for authorized equipment and apparel to be worn by sworn personnel.**

*Commentary: The directive ensures a degree of uniformity in uniforms and accessories.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be provided for review.
2. Observation of agency personnel to verify compliance with the directive.
3. Interview(s) with agency personnel to verify their understanding of and compliance with this standard.

## Section 42 – Vehicles

### New York State Law Enforcement Accreditation Program

#### 42.1 Marked Patrol Vehicles

##### OPERATIONS

**STANDARD 42.1     The agency requires that the majority of vehicles used routinely for general patrol service are conspicuously marked.**

*Commentary: In this standard, "conspicuously marked" must include at a minimum, light bars and an agency identifier on the vehicle. It is important to have patrol officers maintain a high visibility as a deterrent to criminal activity. However, it is also recognized that unmarked or special duty vehicles not conspicuously marked may also have to be used occasionally for patrol.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Inspection of agency vehicle(s) that are routinely used in patrol service to verify that they are conspicuously marked.
2. Interview(s) with personnel responsible for assigning vehicles to verify their knowledge of and compliance with this standard.
3. Interview(s) with agency personnel who operate police vehicles to verify their knowledge of and compliance with the standard.

## 42.2 Equipment

### OPERATIONS

**STANDARD 42.2     The agency has a written directive that specifies the equipment to be included in every patrol car.**

*Commentary: It is not the intent of this standard to direct an agency as to what equipment it must carry in a patrol car, but rather to require the agency to specify such equipment on an official list. Equipment such as first aid kits, blankets, flares, and a fire extinguisher are generally considered the minimum needed by patrol officers to handle emergencies and preliminary investigations effectively. The equipment carried in all patrol vehicles should be standardized within the agency.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Inspection of agency vehicles to compare the equipment they contain with the items listed in the directive. The equipment should be standardized for all patrol vehicles.
3. Interview(s) with personnel responsible for vehicle maintenance to verify their knowledge of and compliance with the directive.
4. Interview(s) with personnel who operate patrol car(s) to verify the agency's compliance with this standard.

### 42.3 Seat Belts

#### OPERATIONS

**STANDARD 42.3     The agency has a written directive regarding the use of occupant safety restraining devices in agency vehicles.**

*Commentary: The use of safety belts has a significant effect in reducing injuries resulting from traffic crashes and in assisting officers to maintain proper control of their vehicles in emergency high-speed operations.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Observation of personnel operating agency vehicle(s) may verify compliance with the directive.
3. Interview(s) with agency personnel to verify their understanding of and compliance with this directive.

#### 42.4 Special Purpose Vehicles

##### OPERATIONS

**STANDARD 42.4 If the agency has any special purpose motorized vehicles, vessels or aircraft, a written directive governs their operations. The following provisions must be met:**

- A. A statement of the objectives of their operations or usage;**
- B. Instructions, conditions and the limitations of usage;**
- C. Authorization for use in various situations;**
- D. Qualification and training for personnel assigned as operators;**
- E. Designation of person(s) or positions(s) responsible for the condition and maintenance of these vehicles;**
- F. A listing of the equipment, if any, to be kept on board; and**
- G. A list of authorized operators.**

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Inspection of the agency's special purpose vehicles, vessels or aircraft. Any equipment on board should be consistent with that listed in the written directive, and all equipment listed in the directive should be on board.
3. Copies of any training curricula or lesson plans associated with the in-service training of operators should be provided.
4. All operators should be legally certified to operate the vehicle, vessel, or aircraft as well as all equipment kept on board if such certification is required, therefore training records of all current operators and a list of authorized operators should be available for review.

## **STANDARD 42.4 Continued**

5. Maintenance records should be available for each vehicle, vessel or aircraft as well for the equipment kept on board. Records should be up-to-date and appropriately documented.
6. Agency logs and other records pertaining to the use of special purpose vehicles should be reviewed.
7. Interview(s) with the authorized operator(s) of these vehicles to determine the accuracy of agency records and the agency's compliance with the written directive.

## Section 43 - Activities

### New York State Law Enforcement Accreditation Program

#### 43.1 Responding to Calls

##### OPERATIONS

**STANDARD 43.1    The agency has a written directive that establishes guidelines for responding to routine and/or emergency calls.**

*Commentary: The agency should establish guidelines for handling calls for service for routine, urgent and emergency calls, and for the equipment to be used. These guidelines should permit designation of the seriousness of the call, when emergency lights and siren should be used and when an emergency response is appropriate.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Observation of agency personnel responding to emergency or routine calls to determine if the officers follow the indicated guidelines.
3. Review of agency records pertaining to such calls and the actions taken by officers to determine procedural compliance.
4. Interview(s) with patrol officers to verify their knowledge of and compliance with the guidelines.
5. Interview(s) with communication/dispatch personnel to verify their understanding of and compliance with the guidelines.

### 43.2 Recording Officer Status

#### OPERATIONS

**STANDARD 43.2     The agency has a written directive requiring the monitoring and recording of the status of officers when on assignment or out of service.**

*Commentary: The directive that the agency develops should be designed for officer safety and control of units while in the field. Some agencies, for example, may wish to have dispatchers make periodic checks at regular intervals.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with communications/dispatch personnel to verify their knowledge of and compliance with the directive.
3. Interview(s) with patrol personnel to confirm that monitoring checks are conducted.
4. Monitoring of radio transmissions to verify compliance with the directive.
5. Review of communications/dispatch records to verify compliance with the standard.

### 43.3 Law Enforcement Response

#### OPERATIONS

**STANDARD 43.3     The agency will ensure that law enforcement response is available 24 hours a day, seven days a week.**

*Commentary: The public should be provided with police emergency services 24 hours a day. This service may be provided through arrangement with a nearby agency if the agency itself cannot provide this coverage. The public should be able to contact a law enforcement agency at any time and receive immediate response to emergency situations.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Provide an agency duty roster specifying when and who is on duty or on call for emergencies during times other than normal working hours.
2. If an agency does not provide 24-hour coverage, it should provide documentation specifying how it provides coverage in emergency situations.
3. If another agency is involved in providing 24-hour coverage, relevant documentation (e.g. contractual agreements) should be provided. Contact with the other agency should be made to verify the performance of this function.

**43.4 Vehicle Pursuits - CRITICAL STANDARD**

OPERATIONS

STANDARD 43.4 **The agency has a written directive governing the pursuit of motor vehicles. If the agency authorizes pursuits, the directive will include but not be limited to:**

- A. Evaluating the circumstances;**
- B. Initiating officer's responsibilities;**
- C. Secondary unit(s) responsibilities;**
- D. Dispatcher's responsibilities;**
- E. Supervisor's responsibilities;**
- F. Forcible stopping;**
- G. When to terminate pursuit; and**
- H. Inter- and intra-jurisdictional pursuits.**

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A review of agency records pertaining to incidents involving the pursuit of motor vehicles to verify compliance with the policy.
3. Interview(s) with patrol officers, dispatchers and supervisors to verify their understanding of agency policy and their designated role in a pursuit situation.

### 43.5 Roadblocks

#### OPERATIONS

**STANDARD 43.5     The agency has a written directive that describes circumstances warranting the use of road blocks and specific procedures for implementation.**

*Commentary: There is extreme danger and liability inherent in the use of roadblocks. The agency's directive should specify types of roadblocks and the circumstances justifying their use. The term roadblock, as used in this standard, is not a routine traffic checkpoint.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with various components of agency personnel (e.g., dispatchers, patrol officers, supervisors) to verify their understanding of the directive and the role that each one has in a roadblock situation.
3. A review of agency reports that involved the use of roadblocks to verify compliance with the policy.
4. Interview(s) with agency personnel, if any, who were recently involved in a roadblock situation to verify their knowledge of and compliance with the directive.

#### 43.6 Specialized Units

##### OPERATIONS

**STANDARD 43.6 If the agency utilizes specialized units, a written directive specifies the criteria for their deployment and responsibilities. The directive must include:**

- A. A statement of the objectives of their operation and usage;**
- B. Instructions, conditions and limitations of usage;**
- C. Authorization for use in various situations;**
- D. Qualifications;**
- E. Designation of the person or position responsible for the coordination or supervision of each unit;**
- F. A list of special equipment assigned to each unit; and**
- G. A list of personnel assigned to each unit.**

*Commentary: A list of specialized units would include, but not be limited to, mounted patrol, canines, SCUBA, SWAT, bomb disposal, aviation and navigation.*

##### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A list of the persons assigned to each specialized unit should be provided.
3. Training records for personnel assigned to each specialized unit should be provided.
4. Initial training and in-service training required for personnel assigned to specialized units should be provided.

**STANDARD 43.6 (continued)**

5. Interview(s) with personnel assigned to these specialized units to verify the accuracy of agency records and the agency's compliance with the standard.
6. Review of records of incident(s) involving specialized units to verify compliance with the directive.

### 43.7 Notifying Next of Kin

#### OPERATIONS

**STANDARD 43.7    The agency has a written directive for notifying next of kin of deceased, seriously injured or seriously ill persons.**

*Commentary: The agency may want to consider addressing line of duty death notifications in the directive.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A review of records documenting such notifications should be provided to verify compliance.
3. Interview(s) with patrol personnel to verify their knowledge of and compliance with the directive.
4. Records of any seminars or training programs that officers have attended on this topic can help verify compliance with the standard.

## Section 44 – Specialized Incidents

### New York State Law Enforcement Accreditation Program

#### 44.1 Domestic Incidents - **CRITICAL STANDARD**

##### OPERATIONS

**STANDARD 44.1    The agency has a written directive outlining the response to domestic incidences, in accordance with The Family Protection and Domestic Violence Intervention Act of 1994, as amended, and any other statutory requirements affecting the law enforcement response to domestic incidents.**

*Commentary: Sections of law pertinent to the law enforcement role in domestic incidences include:  
Criminal Procedure Law sections 140.10, 530.11, and 530.12.  
Family Court Act sections 155, 812, 821-a, 827, 828, 842, and 846.  
DRL section 252 and JudL section 216.*

#### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.
3. Review of domestic incident reports.

## 44.2 Hate Crimes

### OPERATIONS

**STANDARD 44.2 The agency has a written directive that outlines the response to hate crimes in accordance with the Hate Crimes Act of 2000. The directive should address the unique factors to consider when establishing motive and the proper crime classification for Hate Crimes that will lead to an elevation of the charge(s).**

*Commentary: New York State Penal Law §485.05 designates certain crimes or attempts to commit those crimes as Hate Crimes when the primary motive for the crime is based on the victims race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. Hate crime investigations pose a challenge for many agencies since they require establishment of a motive. Early identification and supervisory notification is crucial. Agencies should have a directive in place that outlines the law, and are strongly encouraged to adapt other standards (e.g. 40.2; 50.1) to strengthen the critical components of responding to a Hate Crime.*

### Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.
3. Review of hate crime reports.

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## **II. TRAFFIC**

## Section 47 - Traffic

### New York State Law Enforcement Accreditation Program

#### 47.1 Enforcement of Traffic Violations

##### OPERATIONS

**STANDARD 47.1    The agency has a written directive for enforcing traffic law violations. The directive must:**

- A.    Address violations committed by residents, nonresidents, juveniles and foreign diplomats/consular officials; and**
- B.    A system of accountability for all traffic summonses.**

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.    A copy of the written directive should be available for review. The directive should include reference to relevant laws (i.e. juvenile laws and diplomatic law) as well as appropriate telephone numbers (State Department for diplomats; judges for juveniles and/or non-residents).
2.    Interview(s) with agency personnel to verify their knowledge and compliance with the directive.
3.    Interview(s) with agency personnel recently involved in such situations to verify compliance with the directive.
4.    Review reports or records involving such incidents to verify compliance with the directive.

## 47.2 Stopping Violators

### OPERATIONS

**STANDARD 47.2 The agency has a written directive to guide officers' action when stopping, approaching and addressing traffic law violators.**

*Commentary: Due to the fact that this is one of the most frequent types of contacts made between law enforcement officers and the public, there are two separate but equally important issues that must be addressed. First, this is a stressful time for citizens. The courtesy and positive image that is shown by the officer will not only make this contact less confrontational but will also enhance the image of the officer and the agency. The second issue involves safety. Both the safety of the officer and the safety of the motoring public must be considered when establishing these procedures.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify their understanding of and compliance with the policy.
3. Review training records to determine if officers have received any training in this area.
4. Observations(s) of motor vehicle stop(s) by patrol officers may verify compliance with the procedures.

### 47.3 High Visibility Clothing

#### OPERATIONS

**STANDARD 47.3    The agency has a written directive that requires personnel to wear high-visibility clothing when directing traffic.**

*Commentary: This standard refers to times when officers are normally assigned to traffic posts or are assigned for prolonged traffic details. Examples of high-visibility clothing include orange raincoats or reflective vests or belts.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel normally assigned to traffic posts to verify compliance with the standard.
3. Observation(s) of traffic details to verify that high visibility clothing is being used.
4. Review of quartermaster/supply records to confirm that high visibility clothing has been distributed to appropriate personnel.

#### 47.4 Speed Measuring Devices

OPERATIONS

STANDARD 47.4 **The agency has a written directive that governs the maintenance of speed measuring devices in traffic law enforcement.**

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel responsible for maintaining these devices to verify compliance with the directive.
3. Interview(s) with agency personnel who operate these devices to verify their understanding of and compliance with the directive.
4. Review of maintenance records for these devices to verify compliance with the directive.
5. Observation of personnel operating these devices to verify that officers are complying with the directive.

#### 47.5 DWI Cases

##### OPERATIONS

- STANDARD 47.5    **The agency has a written directive for handling persons charged with driving while under the influence of alcohol or drugs that include, but is not limited to, the following:**
- A.    The proper administration of standard field sobriety tests;**
  - B.    The safe transportation of the impaired arrestee;**
  - C.    The proper administration of chemical test to determine intoxication pursuant to NYS Department of Health rules and regulations;**
  - D.    The incarceration or release to a responsible third party;**
  - E.    Disposition of the arrestee's vehicle; and**
  - F.    Other practices consistent with applicable statutes.**

##### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.    A copy of the written directive should be available for review.
2.    Interview(s) with agency personnel to verify their understanding of and compliance with the directive.
3.    Interview(s) with court personnel (e.g. district attorneys, judges) to verify that agency personnel are following the directive.
4.    Review of agency records involving DWI arrests to verify compliance with the directive.

## 47.6 Hazardous Road Conditions

### OPERATIONS

**STANDARD 47.6    The agency has a written directive that specifies procedures for taking action to correct hazardous highway situations.**

*Commentary: Officers should be aware of the notification procedures to correct potential hazards on the highway. These situations may involve debris on the highway, road defects, missing/obstructed highway signs or traffic control signals and disabled or abandoned vehicles.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with patrol officers to verify their understanding of and compliance with this directive.
3. Review of reports, forms or logs used by the agency to document these hazardous conditions.
4. Interview(s) with agency personnel responsible for forwarding these reports to the appropriate outside agency to verify their knowledge of and compliance with this directive.

#### 47.7 Accident Reporting/Investigations

##### OPERATIONS

**STANDARD 47.7 The agency has a written directive that governs reporting and/or investigating traffic accidents that include, but is not limited to, the following types of incidents:**

- A. Death or injury;**
- B. Fire hazards;**
- C. Hit and run;**
- D. Impairment due to alcohol or drugs;**
- E. Hazardous materials; and**
- F. Damage to public vehicles or property.**

##### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Agency records of traffic accidents can be compared with the directive to verify compliance.
3. Interview(s) with agency personnel to verify their understanding of and compliance with the directive.
4. Interview(s) with agency personnel responsible for compiling traffic data to verify their understanding of and compliance with the directive.

## 47.8 Towing and Impoundment

### OPERATIONS

**STANDARD 47.8     **The agency has a written directive that governs the removal, towing, impoundment and seizure of vehicles and requires that a record be maintained of all vehicles removed or towed at the direction of an officer.****

*Commentary: This directive should include provisions for vehicles that are illegally parked, stolen, abandoned, involved in criminal activity or in the agency's custody. In addition, the registered owner of the vehicle should be notified within a reasonable length of time concerning the vehicle's removal. The disposition of impounded vehicles should be consistent with applicable law.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with patrol officers to verify their understanding of and compliance with this directive.
3. Review of agency records, reports, logs or any other documentation used in towing vehicles to assure that the provisions of the directive are being followed.

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### **III. CRIMINAL INVESTIGATIONS**

## Section 50 - Methods

### New York State Law Enforcement Accreditation Program

#### 50.1 Investigative Function

##### OPERATIONS

STANDARD 50.1 **The agency has a written directive that describes the criminal investigation function.**

*Commentary: Arrangements for investigations should describe which personnel (uniform or non-uniformed) are responsible for carrying out the investigative function.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with the directive.
3. Assessors can review criminal reports to verify compliance with the directive.

## 50.2 Constitutional Requirements

### OPERATIONS

**STANDARD 50.2    The agency has a written directive that establishes procedures for assuring compliance with constitutional protections during criminal investigations.**

*Commentary: Every sworn officer must recognize and comply with the constitutional guarantees given to all citizens. These guarantees include, but are not limited to the right to counsel, search and seizure, and Miranda warnings.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Review agency files, records and reports pertaining to investigations to verify procedural compliance with constitutional requirements.
3. Interview(s) with officers involved in investigations to verify their knowledge of and compliance with the directive.

### 50.3 Case Management

#### OPERATIONS

**STANDARD 50.3    The agency has a written directive that describes the investigative case management system.**

*Commentary: Components of a formal case tracking mechanism should include but not be limited to: assignment, investigation and termination of cases investigated. The status of every case must be shown (i.e., open, closed, suspended) and a procedure must be in place for closing cases other than by arrest.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Review agency files, records, and reports pertaining to the management system to verify compliance with the directive.
3. Interviews with personnel responsible for the management system to verify their understanding of and compliance with the directive.

## 50.4 Juvenile Operations

### OPERATIONS

**STANDARD 50.4 The agency's written directives concerning juvenile operations must comply with applicable laws. The directive must address the following, but not be limited to:**

- A. Detention of juveniles separate from adults (Family Court Act section 304.1); and**
- B. The questioning of juveniles in only rooms approved by the Chief Administer of the Courts (22 NYCRR section 205.20).**

*Commentary: Given the special legal status of juveniles, written directives should be developed that govern when juveniles should be taken into custody. These procedures should include but not be limited to: how a juvenile enters the juvenile justice system, how to interview juveniles, issues relating to temporary detention, and diversion to the adult system and record-keeping. These procedures must be consistent with legal guidelines found in the NYS Criminal Procedure Law, Family Court Act or other legal or judicial guidelines.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive(s) that address juvenile operations should be available for review.
2. Interview(s) with personnel responsible for juvenile operations can be conducted to verify their knowledge of and compliance with the directive(s).
3. Assessors may review agency records involving juvenile operations to verify compliance with the directive(s).

## 50.5 Informants

### OPERATIONS

**STANDARD 50.5    The agency has a written directive that establishes procedures for the use of informants.**

*Commentary: The use of confidential informants is a sensitive, though often important part of many investigations. The procedures that are set by the agency must ensure adequate safeguards regarding the reliability, confidentiality, and security of information. Procedures are also needed regarding the handling of informants of the opposite sex and steps to take that will avoid putting either agency personnel or the informant in a compromising position.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Review agency records involving the use of informants to verify compliance with the directive.
3. Interview(s) with agency personnel who use, or have used, informants to verify their understanding of and compliance with the directive.

## 50.6 Aids for Detecting Deception

### OPERATIONS

**STANDARD 50.6 If technical aids for the detection of deception are used by the agency, there must be a written directive which governs their use.**

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. A list of all examiners should be provided.
3. Interview(s) with examiners to verify their knowledge and compliance with the directive.

## 50.7 Vice and Organized Crime Information

### OPERATIONS

**STANDARD 50.7     The agency has a written directive that governs the use and dissemination of vice and organized crime information.**

*Commentary: The information gathered is very sensitive and is often not for general release. The agency should limit access to these records on a need-to-know basis. Interagency cooperation is often necessary in these investigations, and there should be an exchange of information or records between agencies, but again, on a need-to-know basis.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Observe the methods used to process such information to verify compliance with the directive.
3. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with the directive.
4. Observe security measures used to secure files containing such records.
5. Interview(s) with patrol personnel to verify their knowledge of and compliance with the directive.

## 50.8 Fingerprinting and Photographing Defendants

### OPERATIONS

**STANDARD 50.8    The agency complies with applicable laws relative to the fingerprinting and photographing of defendants after arrest.**

*Commentary: Provisions should be made to identify and include specific instances when individuals might not be processed. These instances may include times when fingerprinting is not practical or an appearance ticket is issued. Compliance should be consistent with provisions of specific areas of statutory law, including Criminal Procedure Law, Juvenile Laws or violations of Family Court Act.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Interview(s) with personnel responsible to verify their understanding of and compliance with this standard.
2. Review agency arrest and criminal history records to verify that photographs and fingerprints have been taken in accordance with applicable law.

## 50.9 DNA Collection

### OPERATIONS

**STANDARD 50.9     The agency has a written directive that ensures the proper and lawful collection of DNA samples from those offenders required to provide same.**

*Commentary: Executive Law section 995-c (3) requires individuals who have been convicted and sentenced of certain designated offenses to provide a DNA sample for inclusion in the State DNA Databank. DCJS shall make available offender DNA collection kits that include DNA collection instructions.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this legislation.
3. Examples of “Rapsheets” annotated with the “**DNA Owed**” banner.
4. Copies of completed DNA DATABANK SPECIMEN SUBMISSION FORMS (green submitting agency copy).
5. Demonstration by agency personnel in the proper use of the collection kits.

## Section 51 – Scenes of Incidents

### New York State Law Enforcement Accreditation Program

#### 51.1 Processing Scenes

##### OPERATIONS

**STANDARD 51.1    The agency has a written directive that governs responsibilities of the person(s) who processes the scene of an incident, to include the preparation of a report.**

*Commentary: The directive should identify the role of the person(s) responsible for this function to include, but not be limited to: photographing and sketching the scene, protecting, collecting, and preserving evidence, and elements to be included in the report.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel given this responsibility to ensure their knowledge of and compliance with the directive.
3. Interview(s) with officers from other agency components (i.e. patrol, supervisor, dispatchers, administrators) to verify their knowledge of and compliance with this directive.
4. Review of agency records involving criminal investigations to verify compliance with the directive.

## 51.2 Equipment

### OPERATIONS

**STANDARD 51.2 Personnel responsible for processing scenes has equipment available for the following purposes:**

- A. Recovery of latent fingerprints;**
- B. Photography;**
- C. Sketch of the scene; and**
- D. Collection and preservation of physical evidence.**

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Interview(s) with appropriate personnel to ensure that the equipment is available and properly maintained.
2. Training records of the people who are responsible for processing scenes can be reviewed to verify that they have attended the appropriate training.
3. Observation of equipment.

### 51.3 Photographs

#### OPERATIONS

**STANDARD 51.3    The agency has a written directive that specifies the information to be recorded at the time evidentiary photographs are taken.**

*Commentary: The intent of this standard is to have a photograph/video log to verify a true representation of an incident and to follow legal/court standards.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel responsible for handling physical evidence to verify their knowledge of and compliance with the directive.
3. Examine evidence logs and records to verify compliance with the directive.

**51.4 Labeling Evidence - CRITICAL STANDARD**

OPERATIONS

STANDARD 51.4 **The agency has a written directive that governs the marking or labeling of physical evidence.**

**For all items of evidence, information should be recorded which contains, but is not limited to the following:**

- A. Description of the item (including make, model number and serial number, if any);**
- B. Source (from whom), date, time and location where obtained;**
- C. Name of person collecting the item(s); and**
- D. Case number.**

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel responsible for handling physical evidence to verify their knowledge of and compliance with the directive.
3. Examine evidence logs and records to verify compliance with the directive.

## 51.5 Transfer of Evidence

### OPERATIONS

**STANDARD 51.5 The agency has a written directive that requires that a record be made each time a transfer of custody of physical evidence takes place. The directive shall include, but not be limited to:**

- A. The date and time of transfer;**
- B. The person's identity who receives the evidence;**
- C. The reason for the transfer;**
- D. The name and location of where the property was transferred;  
and**
- E. Any examinations performed (if applicable).**

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel responsible for handling physical evidence to verify their knowledge of and compliance with the directive.
3. Review reports, forms, logs and other documents used in this process to assure compliance with the directive.
4. Examine evidence logs to determine if the transfer of custody follows the guidelines of the directive.

## 51.6 Incident Reports

### OPERATIONS

**STANDARD 51.6    The agency has a written directive that governs the preparation of reports by personnel who process incidences.**

*Commentary: An incident may include a crime scene, accident scene or call for service that requires police presence. An agency needs to establish guidelines that specify the elements to be included in the report.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Interview(s) with personnel responsible for this function can be conducted to verify their knowledge of and compliance with the directive.
3. Review of agency reports to verify compliance with the directive.

## **IV. COMMUNICATIONS**

## Section 55 - Communications

### New York State Law Enforcement Accreditation Program

#### 55.1 Responsibilities and Procedures

##### OPERATIONS

**STANDARD 55.1 The agency has a written directive that defines the position(s) and/or agency(s) responsible for communications and outlines the procedures for:**

- A. Radio communications;**
- B. Telephone communications;**
- C. Teletype;**
- D. Alarm monitoring;**
- E. Mobile Data Terminals/Mobile Computer Terminals; and**
- F. Misdirected Emergency Calls.**

##### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Observation of the communication function to verify compliance with the directive.
3. Interview(s) with communication/dispatch personnel to verify their knowledge of and compliance with the directive.
4. Interview(s) with patrol officer(s) to verify that dispatchers are complying with the directive.

## 55.2 24-Hour Telephone Access

### OPERATIONS

**STANDARD 55.2    The agency provides 24-hour telephone access for calls for service within their jurisdiction.**

*Commentary: It is the responsibility of the agency to maintain 24-hour telephone service for calls. This access can be provided by the agency itself or by call-forwarding to other agencies or other arrangements.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. If the agency provides 24-hour telephone service, a copy of personnel schedules should be available for review.
2. Interview personnel assigned to the telephone answering function to verify compliance with the standard.
3. If the 24 hour emergency telephone service is handled by another agency, relevant documentation (e.g. contractual agreement) should be provided. The assessor may contact the other agency to verify its compliance with the agreement.

### 55.3 Two-Way Radios

#### OPERATIONS

STANDARD 55.3 **The agency requires that every patrol officer engaged in a field assignment has access to police two-way radio communications.**

*Commentary: This may be fulfilled by portable radios or at the very least mobile units.*

#### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. Inspect the facility and equipment with which the agency conducts its two way radio communications (i.e. base station, portable walkie-talkies, and radios in police vehicles.)
2. Proof that patrol officers have access to such equipment should be provided (e.g., logs documenting access or assignment of two-way radio communications to patrol officers).

## 55.4 Communication with Patrol Officers

### OPERATIONS

**STANDARD 55.4    The agency has a written directive for radio or data communications used to and from patrol officers and in circumstances requiring such communications between patrol officers.**

*Commentary: Discipline is an important part of officer safety. Clear and concise communications with standardized procedures must be in place to ensure the integrity of the system and officer safety.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Monitor radio or data communications to verify procedural compliance.
3. Interview(s) with patrol officers to verify their understanding of and compliance with the directive.
4. Interview(s) with communication/dispatch personnel to verify their understanding of and compliance with the directive.

## 55.5 Intra-Agency Cooperation

### OPERATIONS

**STANDARD 55.5    The agency has a written directive for interaction, coordination and cooperation between patrol and other components of the agency.**

*Commentary: The level of police service to the community often suffers from lack of communication among different components of an agency. Patrol and other specialty units (i.e., investigations, traffic, vice, etc.) often operate with different priorities, for example, so there must be a mechanism in place to ensure cooperation and exchange of information among the various components. Formal communication procedures established by the chief law enforcement officer may prevent these problems from occurring. Compliance may be demonstrated by regular staff meetings, case updates and/or regular exchanges of investigative reports.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive should be available for review.
2. Observe the agency's daily operations to help verify compliance.
3. Copies of any logs or records used to document communications and coordination between the patrol and other agency components should be provided.
4. Interview(s) with personnel assigned to various agency components to verify their understanding of and compliance with the standard.

## **V. UNUSUAL OCCURRENCES**

## Section 58 – Unusual Occurrences

### New York State Law Enforcement Accreditation Program

#### 58.1 Mutual Aid

##### OPERATIONS

**STANDARD 58.1 The agency has a written plan for requesting or providing mutual aid.**

##### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the agency plan should be available for review.
2. A copy of any written agreement that has been made with other agencies regarding this standard should be provided.
3. A copy of any records documenting past or current temporary assignments of personnel should be provided.
4. Interview(s) with agency personnel responsible for coordinating such situations to verify their knowledge of and compliance with the plan.
5. Interview(s) with representatives from other agencies involved in this plan to verify compliance.

**58.2 Disaster Plans - CRITICAL STANDARD**

OPERATIONS

**STANDARD 58.2 The agency has, or participates in, written plans for responding to natural and man-made disasters and civil disturbances. The plans identify the role that the agency will play in both types of incidents.**

*Commentary: An agency should have its own plan or be incorporated in a county or regional plan. All state agencies are required to participate in the Incident Command System per an executive order issued by the Governor of NYS.*

*The agency plan should include provisions for:*

- A. Communications;*
- B. Field command posts;*
- C. Casualty information;*
- D. Community relations/public information (media briefings);*
- E. Other law enforcement agency support;*
- F. Military support (martial law);*
- G. Traffic control;*
- H. Equipment requirements;*
- I. De-escalation procedures;*
- J. Rumor control;*
- K. Availability for command (order of precedence);*
- L. Post-occurrence (aftermath) duties;*
- M. After-action reports; and*
- N. Transportation.*

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of this plan should be available for review.
2. The assessors may contact the other agency(s) involved to verify this agreement.
3. Interview(s) with personnel responsible for coordinating this plan to verify their understanding of and compliance with this plan.
4. Review agency reports involving incidents when this disaster plan was implemented to verify compliance.

## 58.4 Emergency Mobilization Plan

### OPERATIONS

**STANDARD 58.4    The agency has a written emergency personnel mobilization plan.**

*Commentary:    The mobilization plan should include, but not be limited to, provisions for:*

- A.    Communications;*
- B.    Alert stages;*
- C.    Primary and alternate assembly areas;*
- D.    Equipment and distribution;*
- E.    Special task force activation;*
- F.    Key personnel designations;*
- G.    Transportation requirements;*
- H.    Management control measures; and*
- I.    Rehearsals.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.    A copy of the plan should be available for review.
2.    Interview(s) with personnel responsible for coordinating this plan to verify their understanding of and compliance with the plan.
3.    Review agency reports involving incidents that occurred after this plan was implemented to determine whether the plan was adequate.

## **VI. PRISONER TRANSPORT**

# Section 64 – Prisoner Transport

New York State Law Enforcement Accreditation Program

## 64.1 Prisoner Transport and Safety

### OPERATIONS

- STANDARD 64.1    **The agency has a written directive that prescribes the security and control of prisoners being transported. The directive shall:**
- A.    Require the search of transport vehicles prior to and after transporting prisoners;**
  - B.    Require a search of the prisoner by the transporting officer before being transported;**
  - C.    Govern situations permitting transport of prisoners by officers of the opposite sex;**
  - D.    Prescribe procedures for transporting/handling sick or injured prisoners; and**
  - E.    Identify actions for the transporting officer to take following an escape of a prisoner while being transported.**

*Commentary: The intent of this standard is to direct members in proper transporting methods to include handcuffs, restraints, seating arrangements and security.*

### Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1.    A copy of the written directive should be available for review.
2.    Interview(s) with agency personnel who transport prisoners to verify their knowledge of and compliance with the directive.
3.    Review logs or other documentation used by the agency to verify compliance with the directive.
4.    Interview(s) with medical personnel used by the agency in medical situations can be conducted to verify compliance with the directive.

## **STANDARD 64.1 Continued**

5. Interview(s) with personnel involved in the transport process to ensure that each level of command is aware of its particular role in an escape situation.
6. Review agency reports involving prisoner escapes to verify compliance with the written directive.
7. If the directive involves an interagency agreement, the assessor should contact representatives of the other agencies to verify that it is in place and understood.

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## GLOSSARY

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**AIDS FOR THE DETECTION OF DECEPTION:** Apparatus designed to measure and record physical changes of an individual's response to a series of questions. These changes may be measured by such variables as respiration, perspiration, blood pressure or voice.

**ARTICLE 35:** The section of the New York State Penal Law that specifically deals with the justifiable use of physical force upon another person.

**BASIC SCHOOL:** A mandated school for entry level police officers. (See the Official Compilation of Codes, Rules and Regulations of the State of New York.)

**CHAIN OF COMMAND:** The lines of communication/responsibility that go up and down within the organizational hierarchy of an agency.

**CRIME SCENE PROCESSOR:** The person(s) responsible for collecting physical evidence at the scene of a crime.

**DEADLY PHYSICAL FORCE:** Physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury. (See appropriate section of the NYS Penal Law.)

**DEADLY WEAPON:** Means any weapon readily capable of producing death or other serious physical injury. (See appropriate section of the NYS Penal Law.)

**DISCIPLINE:** A process designed to train, correct and improve the performance of an employee and/or punitive actions designed to correct unsatisfactory behavior.

**ENTRY LEVEL:** The state at which a person is first employed in a sworn position in any law enforcement agency.

**EQUAL EMPLOYMENT OPPORTUNITY:** The process of assuring equitable employment opportunities and conditions for all people regardless of race, creed, color, age, sex, religion, national origin or physical defect. (Title VII of the Civil Rights Act of 1964.) Under the Extension Act of 1972 (Public Law 92-261), the federal EEO mandates were extended to state and local government agencies.

**EVALUATION:** The use of research techniques to measure the performance of a specific program for the purpose of improving the program's effectiveness at achieving established objectives.

**FIELD INTERVIEW:** A law enforcement officer questioning an individual without detainment for intelligence/informational purposes.

**FIELD TRAINING OFFICER:** A member of a law enforcement agency who is assigned as a trainer of recruit/probationary officers.

**FIELD TRAINING PROGRAM:** A period of training that transitions patrol officers from the academic training received at the academy to the practical application of that training in the field.

**FINGERPRINT/CRIMINAL HISTORY RECORDS SYSTEM:** A centralized clearinghouse for fingerprint records and criminal history records operated by the New York State Division of Criminal Justice Services (DCJS).

**FIREARMS TRAINING:** Formalized and documented training of classroom and firing range instruction to ensure that each officer has demonstrated specific firearms proficiency as established by the chief law enforcement officer.

**FIRST-LINE SUPERVISORS:** The first level of supervision within a law enforcement agency.

**FISCAL MANAGEMENT:** An accounting system that ensures the responsible management and control of all finances of an agency.

**FOLLOW-UP INVESTIGATION:** The continuation of an investigation after the preliminary stage, intended to provide additional information in order to close a case.

**GOALS:** The desired end toward which a given effort(s) is directed.

**GRIEVANCE PROCEDURE:** A formal method of resolving differences between employees and employers.

**HAZARDOUS MATERIALS:** Any liquid, gas or solid compound that could be injurious to animal, vegetable or human life.

**INCIDENT:** An event that requires a response by a law enforcement agency.

**INTERNAL AFFAIRS FUNCTION:** The process for conducting investigations of complaints or allegations made against agency personnel.

**IN-SERVICE TRAINING:** Any course of training that is received by or provided to an officer after completion of basic training.

**JUVENILE:** A person under sixteen years of age.

**JUVENILE DELINQUENT:** A person over seven and less than sixteen years of age, who commits an act that would constitute a crime if committed by an adult. (Family Court Act, S-301.2).

**JOB CLASSIFICATION:** A written statement that identifies the characteristics of positions within an agency. This may include assigning job titles and specifications and/or minimum qualifications for each particular classification.

**JOB-RELATED:** Any requirement that is either predictive or indicative of the tasks associated with a particular position.

**LAW ENFORCEMENT AGENCY:** For the purposes of accreditation, any agency or department of any municipality, any police district, or any agency, department, or commission, authority or public benefit corporation of the State of New York employing a police officer or police officers as that term is defined in paragraphs (a), (b), (c), (d), (e), (f), (j), (k), (l), (o), and (p) or subdivision thirty-four of section 1.20 of the criminal procedure law. (Definition as taken from the enabling legislation.)

**LESSON PLAN:** A detailed outline from which an instructor teaches. Lesson plans should include goals, subject matter, performance objectives, references, resources and a testing instrument.

**LEGAL PROCESS:** Any civil or criminal document including warrants that may be served, executed, or held by a law enforcement agency.

**MEASUREMENT DEFINITIONS:** Determinations made about anything that can be directly measured in terms of both the direction of change and the significance of that change.

## **MEDICAL AND PHYSICAL FITNESS STANDARDS AND PROCEDURES FOR POLICE OFFICER**

**CANDIDATES:** Standards prescribed by the Municipal Police Training Council.

**MISSION STATEMENT:** A written statement that defines the purpose of an agency or organization. The mission statement should guide decision-making and provide a sense of direction for members of the agency.

**MOTOR VEHICLE ACCIDENT:** Any unintended event that results in injury, death or property damage attributable directly or indirectly to the motion of a motor vehicle or its load. (*Manual for Police*, NYSP, Art. 1(G) (1).)

**MUNICIPAL POLICE TRAINING COUNCIL:** A committee of law enforcement professionals responsible for making recommendations to the Governor regarding police training standards.

**NON-DISCRIMINATORY PROCEDURES:** Components of the selection or appointment process that have no demonstrable adverse impact (or a minimum adverse impact) upon the selection or appointment rate of any race, sex or ethnic group.

**NON-LETHAL WEAPONS:** Any weapon or instrument capable of causing physical injury to a person not defined by law as being a deadly weapon.

**OBJECTIVE:** A specific strategy that is used to meet a certain goal.

**OFF-DUTY:** The time when an officer is not working either a regularly scheduled shift or any other time designated or approved by the chief law enforcement officer or designee.

**ON-DUTY:** The time when an officer is assigned to work either as part of a normal work schedule, or any other time so designated by the chief law enforcement officer or designee.

**ORGANIZATIONAL CHART:** A flow chart that graphically illustrates the components of an agency as well as the chain of command and lines of communications followed by members of the agency.

**OUT OF SERVICE:** The time when an officer is unavailable for calls.

**PART-TIME POLICE OFFICER:** A law enforcement officer hired by an agency to work less than full-time. Usually, the individual civil service agencies set the rules and definitions for this position. Other agencies may set their own criteria that meet or exceed Municipal Police Training Council guidelines.

**PATROL COMPONENT:** Sworn officers whose primary job responsibilities include the deterrence of criminal activities, the investigation of reported crimes, and furnishing day-to-day police services to the community.

**PATROL PERSONNEL:** Officers assigned to general day-to-day police activities.

**PERFORMANCE EVALUATION SYSTEM:** A formal process used to measure the level of effectiveness of an employee and to improve future work habits. Measurable and job-related objectives are used to evaluate work performance.

**PERMANENT STATUS:** The period of employment in a position following the completion of a probationary period.

**PERSONAL EQUIPMENT:** Any equipment, clothing or other items that an officer may wear, carry or use that is not issued by an agency.

**PHYSICAL EVIDENCE:** Any substance or material found or recovered in connection with a criminal investigation.

**POLICE OFFICER:** Any of the persons defined as police officers as defined in the New York State Criminal Procedure Law.

**POLICE SUPERVISION COURSE:** The Municipal Police Training Council approved course that instructs on police supervision.

**POLICE VEHICLE:** See the appropriate section of the New York State Vehicle and Traffic Law for a complete definition of what constitutes a police vehicle.

**POLICY:** A principle or rule to guide decision making to achieve the desired outcome. A policy can also be considered a 'statement of intent' or 'commitment' and reflects concepts and philosophy.

**PRELIMINARY INVESTIGATION:** The activities that begin when the first officer arrives at the scene of an incident, and ends when the investigation is stopped or the responsibility for the investigation is transferred.

**PROBATION:** An established period of time during which a supervisor has an opportunity to ascertain an employee's fitness for a position resulting from an appointment, promotion or transfer; and an employee has the opportunity to demonstrate his/her ability in relation to their new duties.

**PROCEDURE:** An established, consistent way of doing something. More specific than a policy, a procedure outlines a step-by-step sequence of activities to follow in order to complete a task.

**PROPERTY MANAGEMENT ACTIVITY:** The management and control of property in the custody of an agency.

**PUBLIC INFORMATION FUNCTION:** The process of conveying agency information to the news media or community.

**RECRUIT OFFICER:** Any officer who has not been granted a Municipal Police Training Council certificate or has not been granted permanent status.

**RULES AND REGULATIONS:** Restrictive and specific written directives intended to cover situations in which no discretion can be permitted. Rules and Regulations may be characterized by such words as "will", "shall", or "must".

**RULES OF CONDUCT:** Guidelines which officers must follow with regard to acceptable behavior.

**SCENE OF AN INCIDENT:** The location of, and area surrounding, an incident that requires police presence.

**SECTION 58 (CIVIL SERVICE LAW):** The Civil Service regulation that establishes minimum criteria for provisional or permanent appointment in the civil service competitive class of police officer after June 1, 1978.

**SELECTION PROCESS:** The formal procedures/process leading to the final employment decision for an applicant. Such a process may include, but not be limited to, a written test, oral exam, background investigation, medical exam, polygraph exam, veteran's preference, and ranking procedures.

**SERIOUS PHYSICAL INJURY:** See the appropriate section of the New York State Penal Law.

**SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the

basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**SPECIALIZED TRAINING:** Instruction that provides skills, knowledge and ability above and beyond either basic or in-service training. Specialized training may address supervisory, management or executive development training; and technical and job specific training such as homicide investigation, fingerprint examination, SWAT team, etc.

**SPECIAL PURPOSE VEHICLE:** A motorized police vehicle designed for a specific purpose other than patrol purposes. These may be deployed because of considerations of weather, terrain, storage capabilities, special operational needs, etc. Examples of these types of vehicles may include SWAT trucks, bomb disposal vehicles, mobile command posts, snowmobiles, boats, aircraft, prisoner transport vehicles, etc. Four wheel drive patrol vehicles are not considered as special purpose.

**SPECIALIZED UNITS:** Units within a police agency wherein the functions of the officers involve the use of special equipment, tactics, or duties that are not usually performed within the context of the patrol function. This may include, aviation, canine, bicycles, bomb disposal, mounted patrol, navigation, Scuba or SWAT.

**SUPERVISORY STAFF:** The individuals employed within an agency who are required to perform supervisory duties as part of their job description.

**TECHNICAL POSITIONS:** Positions that are characterized as having an added level of responsibility in a specialized area, usually requiring specialized training. Examples of these positions may include SWAT team, canine officer, fingerprint examiner, bomb disposal officer, etc.

**TRAFFIC ACCIDENT REPORTING:** Basic information and data from a traffic accident that is captured and documented. This may include the identification of operator(s), occupant(s) and vehicle(s) involved as well as the date, time and location of the accident.

**TRAFFIC ACCIDENT INVESTIGATION:** The collection of detailed information and/or evidence from a traffic accident to determine its cause. This may include marks and residue on the roadway, statements from occupants or witnesses, exact location of vehicles at point of final rest and evaluation and interpretation of these facts in determining the cause of the accident.

**TRAFFIC LAW VIOLATION:** Violation of any statute, ordinance, or legally authorized regulation relating to the use of streets and highways, and operation and ownership of motor vehicles and other road vehicles.

**TRANSPORT VEHICLE:** Any police vehicle used for transporting a prisoner from one location to another.

**VALID, USEFUL AND NON-DISCRIMINATORY PROCEDURES:** Standards or guidelines that promote equal employment opportunities. Validity requires proof that a required examination will predict job performance or will detect important elements of work behavior. Non-discriminatory procedures show that the process has no demonstrable adverse impact on the selection or appointment rate of any race, sex or ethnic group. Usefulness refers to an assessment of the practical value of a component of the selection process based upon considerations of validity, selection/appointment ratio, the number of candidates to be selected, and the nature of the job.

**WRITTEN DIRECTIVE:** Any written documentation designed to guide the operations of an agency. This may include policies, procedures, rules and regulations, general orders, special orders or instructional materials.

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