

# STANDARDS FOR LAW ENFORCEMENT AGENCIES

The Standards Manual of  
the Law Enforcement Agency  
Accreditation Program

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September 1989

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## PREFACE

This Standards Manual is the principal publication of the Commission on Accreditation for Law Enforcement Agencies, Inc. The standards were originally developed by the four major law enforcement executive membership associations:

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

The standards were presented to the Commission for review at quarterly meetings held in various parts of the country. Following a field review of the standards in several hundred law enforcement agencies, the standards were adopted by the Commission in April 1983. The first edition of the Standards Manual was issued in August 1983.

Three other Commission publications explain the accreditation process in overview, detail aspects of the self-assessment phase, and provide answers to frequently asked questions.

The *Accreditation Program Book* (APB) is the principal source of information about the accreditation program. Major emphasis is placed on the accreditation process—from the time that an agency applies for accreditation until it is accredited. The APB is designed to provide information not only for law enforcement agencies that are involved in the accreditation program but also for those that may be interested in applying for accreditation.

The *Self-assessment Manual* is an agency guide to the most important aspect of the process of initial accreditation—the agency's self-assessment. It is intended for two audiences: first, for the agency's accreditation manager while he or she manages the program and provides orientation and training for other agency personnel; and second, for agency personnel who may be asked to undertake self-assessment assignments but who may have little or no knowledge about the nature and scope of the accreditation program.

The *Accreditation Program Overview* provides general information about the background of law enforcement accreditation; the Commission and the Commissioners; goals, objectives, and policies of the Commission; the standards; the accreditation process; the benefits of accreditation; costs of accreditation; eligibility for accreditation; and application procedures. (A single copy will be sent at no cost.)

The three publications may be ordered from:

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## DEDICATION

Dr. R. Michael Buren, Northwestern University

In May 1987, the Commission published its second edition Standards Manual in loose-leaf format in order to facilitate updating by the issuance of replacement pages. At that time, a decision was made to abandon printing the bound version. Not long thereafter, Dr. Michael Buren of the Northwestern University's Traffic Institute called to discuss the need for a text edition—in a bound version for classroom use. Mike not only called with an "idea" but with an order that made the text edition an economic reality. An offhand remark at the time dubbed the new edition as the "Buren Edition." Therefore, this printing of the text edition is dedicated to R. Michael Buren, PhD., Director of the Traffic Institute's Police Administration Training Program—the Traffic Institute's (TI) much heralded "long course." As such, he oversees and teaches in other TI police management courses, such as the now established 10-week School of Police Staff and Command.

Since 1974, Mike's teaching responsibilities have included a course on law enforcement standards. Then, the textbook was the National Advisory Commission's standards volume, *Police*. As soon as the Commission's manual was available—including the 1983 version containing drafts of 1,012 standards—it was adopted as the TI text. Today, the Text Edition is the basic textbook for the TI's 36-hour course.

Mike also teaches, and issues the Commission's Text Edition in other TI management courses for law enforcement personnel. He likes to believe that it is not a coincidence that a growing number of Midwest departments—especially in the Chicago metropolitan area—are either accredited or in the accreditation pipeline.

Our hats are off to Mike and to this printing that we call the "Buren Edition."

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# INTRODUCTION

The voluntary accreditation program for law enforcement agencies is a joint effort of the Commission on Accreditation for Law Enforcement Agencies, Inc., and the four major law enforcement executive membership associations:

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

## THE COMMISSION

The Commission on Accreditation for Law Enforcement Agencies was formed in 1979 to establish a body of standards designed to (1) increase law enforcement agency capabilities to prevent and control crime; (2) increase agency effectiveness and efficiency in the delivery of law enforcement services; (3) increase cooperation and coordination with other law enforcement agencies and with other agencies of the criminal justice system; and (4) increase citizen and employee confidence in the goals, objectives, policies, and practices of the agency. In addition, the Commission was formed to develop an accreditation process that provides state and local law enforcement agencies an opportunity to demonstrate *voluntarily* that they meet an established set of law enforcement standards.

The four major law enforcement executive membership associations joined forces to create the Commission and to appoint its members. At this writing, the Commission is composed of 21 members: 11 law enforcement professionals and 10 representatives from the public and private sectors, including a state court of appeals judge, county supervisor, county manager, city council member, city manager, vice-president of a Fortune 500 corporation, and professor, among others. The Commission reflects broad representation from state and local levels as well as from many regions of the country.

Following its first organizational meeting in December 1979, the Commission turned its attention to the consideration of standards drafted by the four associations. The final chapters of the "draft" standards were approved on May 1, 1982. During this 28-month time frame, there were organizational changes. The four associations incorporated the Commission as an independent, nonprofit corporation in October 1980. In March 1981, an Executive Director was employed to begin work on program implementation; since then, other staff have been employed.

Following approval of the draft standards, the four associations and the Commission's staff initiated a field review of standards and development of the accreditation process, including policies, procedures, manuals, and forms. Much of 1982 and early 1983 was spent in field testing the standards and the accreditation process.

## THE STANDARDS

### Standards Development

The Commission defined 48 topics that the standards would address. The drafting associations reviewed pertinent literature and prepared standards for consideration at meetings attended by staff of all four participating associations. The staffs reviewed the standards, using guidelines approved by the Commission, amended individual standards, and sent recommended versions to the Commission.

At quarterly Commission meetings, committees of the Commission reviewed each chapter of standards and made recommendations to the full Commission for changes and approval. Besides approving the standards, the Commission approved other elements of the standards—the "commentaries" and "levels of compliance."

The Commission-approved draft standards were then submitted to law enforcement agencies and individuals for review and comment. They were also subjected to a structured field review within selected law enforcement agencies in all 50 states.

Comments from agencies and individuals were reviewed by the four participating associations and recommended modifications were sent to the Commission for its approval. Amendments to the standards were approved by the Commission on April 30, 1983. Amendments and consolidations reduced the number of standards from 1,012 to 944; all changes were then incorporated into the first edition of the standards.

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

There are now some 900 standards organized into 48 chapters and nine topic areas (see Contents). Each standard is composed of three parts: the standard statement, commentary, and levels of compliance.

The standard statement is a declarative sentence that places a clear-cut requirement or requirements on the agency. Many statements call for the development and implementation of a policy or procedure in the form of a rule, regulation, or written directive. Other standards require an activity, report, or other action.

The commentary is designed to explain or expand upon the standard or to provide guidance, which an agency may or may not see fit to follow when complying with the standard. The commentary is not binding on the agency; only requirements of the standard statement are binding.

The third part of the standard is levels of compliance. For each of six agency-size categories, the levels of compliance indicate whether a given standard is mandatory (M), nonmandatory (O, for "other than" mandatory), or not applicable (N/A). Agencies are categorized by total number of authorized full-time personnel (sworn and nonsworn): A, 1 to 9; B, 10 to 24; C, 25 to 49; D, 50 to 199; E, 200 to 999; and F, 1,000 or more. A given standard, for example, may be mandatory for agencies in categories E and F, not applicable for agencies in category A, and nonmandatory for agencies in between (B, C, and D). In this instance, the level of compliance, which is the final item of every commentary, would be listed as follows:

(N/A O O O M M).

Another example would be the commentary for standard 1.1.1, which reads as follows:

Establishing, and routinely updating, goals and objectives of the agency and each component helps to ensure direction and unity of purpose and serves as a basis for measuring progress.  
(M M M M M M)

In this instance, standard 1.1.1 is mandatory for all agencies—A through F. All standards list levels of compliance in the same order—A through F—left to right.

### **Applicability of the Standards**

*Mandatory Standards.* A majority of the standards are in the "mandatory" category—mandatory in the sense that all law enforcement agencies must comply with the standard if it is *applicable*. If an agency does not have a jail, then the standards in the Holding Facility chapter (72) do not apply. If the agency has not entered into a collective bargaining agreement, then the Collective Bargaining chapter (24) does not apply.

In this same sense, certain standards are "if" standards; their applicability depends on whether an agency does or does not engage in a given function, activity, or task. For example, if the agency uses assessment centers as part of its promotional procedures, then standard 34.3.1 (on assessment centers) does apply. If assessment centers are not used, then 34.3.1 does not apply.

Conversely, certain standards apply whether an agency performs the function or not. All agencies are expected to analyze crime and engage in crime prevention and community relations efforts. The scope of these requirements is spelled out in the standards and may vary according to agency size.

*Nonmandatory Standards.* Agencies applying for initial accreditation are expected to comply with at least 80 percent of the applicable nonmandatory standards. (Again, "applicability" is a key—it

determines whether an agency must concern itself with a given chapter or standard within a chapter.) Agencies are free to select the 80 percent with which they choose to comply. Applicant agencies, however, are encouraged to comply with as many of the nonmandatory standards as possible. Over the course of time, accredited agencies will be expected to exceed the 80 percent requirement for compliance with nonmandatory standards.

*Not Applicable Standards.* Some standards are designated as being not applicable for certain agencies. In most instances, N/A standards apply to A- and B-size agencies—those with fewer than 25 members. The rationale for this is that smaller agencies cannot be expected to employ the range of specialists or perform the number of functions that larger agencies could reasonably be expected to employ or perform.

## **THE ACCREDITATION PROCESS AND PROCEDURES**

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

1. **Application.** The accreditation process begins when an agency applies to the Commission for applicant status. The application form requires the signature of the agency's chief executive officer (and that of the agency's chief civil authority, if necessary). Once agency eligibility has been confirmed, the agency and the Commission sign an accreditation agreement that identifies what is expected of each party.

2. **Agency Questionnaire.** The agency completes and files an Agency Profile Questionnaire (APQ), thereby providing information that the Commission needs to determine the standards with which the agency must comply. The APQ asks about agency size, mandated responsibilities, and jurisdiction—the primary determinants of the standards an agency must meet to be accredited.

3. **Self-assessment.** The agency then initiates the self-assessment process, which involves examination by the agency to determine whether it complies with all applicable standards. The agency prepares "proofs of compliance" and assembles documentation to facilitate the on-site assessment.

4. **On-site Assessment.** After the agency is satisfied that it has reached compliance with all applicable standards, it notifies the Commission. The Commission then identifies a team of assessors, allows the candidate agency to review the team make-up to avoid conflict of interest, and dispatches the team to the agency. The assessors examine proofs of compliance to determine if the agency complies with all applicable standards.

5. **Commission Review.** The on-site assessment team submits a report to the Commission, whereupon the Commission grants full accreditation or defers accreditation status. In the case of the latter, the Commission advises the agency of the steps necessary to gain accreditation.

Accreditation is for a five-year period. To maintain accreditation during this period, agencies must remain in compliance with applicable standards. Agencies must apply for reaccreditation before the end of the fifth year. An on-site assessment is required as part of the reaccreditation process.

# 1

## LAW ENFORCEMENT ROLE AND AUTHORITY

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

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

Each agency should have written policy recognizing the limits of law enforcement authority and the need for public approval and acceptance of that authority. The policy should define what constitutes the reasonable or unreasonable use of force. Among other things, the policy should address the need for agency accountability to the community through a formal procedure for public involvement in the development of policies and procedures (see Chapter 45) and should establish formal procedures for receiving commendations and complaints and for investigating allegations of misconduct (see Chapter 52).

Written policy should set forth the enforcement policy of the agency, define the limits of individual discretion, and provide guidelines for the exercise of such discretion. Because the concept of discretion defies rigid codification, officers should be trained in how to exercise the broad discretionary authority they have been granted.

### 1.1 Law Enforcement Agency Role

**1.1.1** *A written directive requires the formulation, annual updating, and distribution to all personnel of written goals and objectives for the agency and for each organizational component within the agency.*

**Commentary:** Establishing, and routinely updating, goals and objectives of the agency and each component helps to ensure direction and unity of purpose and serves as a basis for measuring progress. (M M M M M M)\*

**1.1.2** *A written directive establishes procedures for obtaining input from all personnel levels within the agency in the development of agency goals and objectives.*

\*The letters within the parentheses pertain to levels of compliance. See the Introduction for an explanation.

**Commentary:** Obtaining the input of personnel has great value in improving the relevancy and coverage of goals and objectives; further, it enables employees to contribute to the management and operation of the agency.  
(M M M M M M)

**1.1.3** *A written directive requires an annual submission to the agency's chief executive officer by each organizational component of a written evaluation stating the progress made toward the attainment of goals and objectives.*

**Commentary:** The intent of this standard is to ensure that the agency's chief executive officer is informed, on a regular basis, of the progress toward achieving established goals and objectives.  
(O O O O O O)

**1.1.4** *A written directive requires all personnel, prior to assuming sworn status, to take an oath of office to enforce the law and uphold the Constitution of the United States and, where applicable, the state constitution.*

**Commentary:** The taking of an oath of office is a universal practice in law enforcement service. The oath should include elements to satisfy both local and state requirements as well as the need to enforce the law and uphold the Constitution of the United States. (M M M M M M)

**1.1.5** *A written directive requires all sworn officers to abide by a code or canon of ethics adopted by the agency.*

**Commentary:** The Canon of Ethics or Law Enforcement Code of Ethics published by the International Association of Chiefs of Police or the Code of Ethics of the Office of the Sheriff adopted by the National Sheriffs' Association will satisfy the intent of this standard. Adherence to those codes of ethics and to the United Nations Code of Conduct for Law Enforcement Officials may be included as an element of the oath of office. (M M M M M M)

## **1.2 Limits of Authority**

**1.2.1** *A written directive defines the legally mandated authority vested in sworn agency personnel.*

**Commentary:** The written directive should define and elaborate on the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes, and ordinances. (M M M M M M)

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

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

**1.2.3** *A written directive defines the authority, guidelines, and circumstances when sworn personnel should exercise alternatives to arrest and/or alternatives to prearrest confinement.*

**Commentary:** The written directive should identify the authority of sworn officers to use alternatives to arrest (e.g., citations, summonses, referral, informal resolution, and warning) to address the variety of problems they confront. Policy guides and procedural directions should

be developed to ensure appropriate use of the alternatives by personnel. (M M M M M M)

## **1.3 Use of Force**

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

**Commentary:** The directive should encompass the use of all types and kinds of force (whether deadly or nondeadly) and all types and kinds of weapons. The directive may be issued in the form of a policy, rule, or order. (M M M M M M)

**1.3.2** *A written directive states that an officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury.*

**Commentary:** The purpose of this standard is to provide officers with guidance in the use of force in life-and-death situations and to prevent unnecessary loss of life. Definitions of "reasonable belief" and "serious physical injury" should be included in the directive. (M M M M M M)

**1.3.3** *A written directive specifies that use of deadly force against a "fleeing felon" must meet the conditions required by standard 1.3.2.*

**Commentary:** A "fleeing felon" should not be presumed to pose an immediate threat to life in the absence of actions that would lead one to believe such is the case, such as a previously demonstrated threat to or wanton disregard for human life. (M M M M M M)

**1.3.4** *A written directive requires that all sworn personnel be issued copies of and be instructed in the policies described in standards 1.3.1 through 1.3.3 before being authorized to carry a firearm.*

**Commentary:** Because of the importance of standards 1.3.1, 1.3.2, and 1.3.3, the agency should disseminate the directives to all sworn personnel individually. (M M M M M M)

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

**Commentary:** Warning shots pose a danger to officers and citizens alike. (M M M M M M)

**1.3.6** *A written directive governs the carrying of side arms and ammunition while off duty.*

**Commentary:** The policy should specify the circumstances under which an officer may or may not carry a side arm and ammunition while off duty. (M M M M M M)

**1.3.7** *A written directive governs the use of non-lethal weapons by agency personnel.*

**Commentary:** Agency personnel usually have numerous nonlethal weapons at their disposal. The intent of this standard is to ensure the proper use of such weapons as blackjacks, batons, saps, and tear gas dispensers. (M M M M M M)

**1.3.8** *A written directive establishes criteria for authorizing the carrying of nonissued, personal firearms.*

**Commentary:** The intent of this standard is to ensure that poor quality or inherently dangerous firearms are not used by officers. A firearm meeting accepted criteria should, moreover, be expected to be in satisfactory working condition. The directive should address such issues as caliber, barrel length, type of weapon, identification of weapon, whether the officer is qualified to use the weapon, and policy concerning on- and off-duty use of the weapon. (M M M M M M)

**1.3.9** *A written directive requires that a written report be submitted whenever an officer discharges a firearm, other than in training or for recreational purposes.*

**Commentary:** The intent of this standard is to ensure that officers who accidentally or intentionally discharge a weapon submit a written report of the incident. The officer involved (if physically able) should be required to submit the report within a specified time period. The report should set forth all circumstances surrounding the incident. If the facts of the incident support a conclusion that the shot was the result of negligence, the officer should be required to undergo firearms certification training again. (M M M M M M)

**1.3.10** *A written directive requires that only officers demonstrating proficiency in the use of agency-authorized firearms, in addition to authorized side arms, be allowed to carry such weapons.*

**Commentary:** The intent of this standard is to cover the carrying of such weapons as shotguns, tear gas guns, or automatic rifles. Demonstrated proficiency includes achieving minimum scores on a prescribed course, attaining and demon-

strating a knowledge of the laws concerning the use of firearms, and being familiar with recognized safe-handling procedures for the use of these weapons. (M M M M M M)

**1.3.11** *A written directive requires each sworn officer to qualify at least annually with any firearm that the officer is authorized to use.*

**Commentary:** The written directive should describe the score required for qualification, target type, timing, distance, and other conditions. Qualification should involve not only the actual firing of the weapon but also a passing score on a "what, when, where, and how" type of written test based on the training provided. (M M M M M M)

**1.3.12** *A written directive requires that only weapons and ammunition meeting agency-authorized specifications be used in the performance of duty.*

**Commentary:** Control should be maintained for reasons of safety and civil liability. (M M M M M M)

**1.3.13** *A written directive requires a written report be submitted whenever an officer:*

- *takes an action that results in (or is alleged to have resulted in) injury or death of another person; and/or*
- *applies force through the use of nonlethal weapons.*

**Commentary:** The standard is intended to require a written record of the circumstances surrounding injury or death that results from, or is alleged to have resulted from, actions by officers. The report should address use of physical force, use of lethal and nonlethal weapons, or any other action resulting in injury or death, including traffic accidents. The standard is not intended to document the display of weapons by officers. (M M M M M M)

**1.3.14** *The agency has a procedure for reviewing incidents in which there is application of force through the use of a weapon by agency personnel.*

**Commentary:** The standard provides for latitude in categorizing cases to be reviewed through different procedures. The procedure should include reviewing incidents in which agency personnel discharge a firearm, whether on or off duty. This standard does not apply to firearms training, hunting, or participation in legitimate sporting events. (M M M M M M)

**1.3.15** *The procedures required in standard 1.3.14 include a report of findings to the agency's chief executive officer.*

**Commentary:** The report of findings should include the relevant facts and circumstances surrounding the incident and a conclusion as to whether the discharge violates an agency directive. (M M M M M M)

**1.3.16** *A written directive requires the removal of any officer from line-duty assignment, pending administrative review, whose use of force results in a death.*

**Commentary:** The purpose of this standard is twofold: (1) to protect the community's interest when officers may have exceeded the scope of their authority in the use of deadly force and (2) to shield officers who have not exceeded the scope of their authority from possible confrontations with the community. (M M M M M M)

## Glossary

### TOPICAL AREA: LAW ENFORCEMENT ROLE AND AUTHORITY

**GENERAL ORDER:** A term used by some agencies to describe permanent directives concerned with policy, rules, and procedures affecting more than one organizational component.

**GOAL:** A relatively broad statement of the end or result that one intends ultimately to achieve. A goal usually requires a relatively long time span to achieve and, whenever possible, should be stated in a way that permits measurement of its achievement.

**INSTRUCTIONAL MATERIAL:** Training guides, bulletins, and checklists.

**MEMORANDUM:** An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.

**OBJECTIVE:** An objective is an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a subgoal or an element of a goal and, therefore, requires a shorter time to accomplish than does a goal.

**POLICY:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures and rules and regulations.

**PROCEDURE:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of "shall" rather than "should" or "must" rather than "may." Procedures sometimes allow some latitude and discretion in carrying out an activity.

**REASONABLE BELIEF:** The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**RULES AND REGULATIONS:** A set of specific guidelines to which all employees must adhere.

**SERIOUS PHYSICAL INJURY:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

**SPECIAL ORDER:** A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

**WRITTEN DIRECTIVE:** Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

# 2

## AGENCY JURISDICTION, MUTUAL AID, AND REGIONAL SERVICES

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

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

### 2.1 Agency Jurisdiction and Mutual Aid

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

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

(M M M M M M)

**2.1.2** *A written directive specifies the agency's responsibilities as they relate to concurrent jurisdiction involving other law enforcement agencies.*

**Commentary:** The intent of the standard is to encourage an agency to identify its responsibilities, recognizing the problems inherent in providing law enforcement services in concurrent jurisdictions. Concurrent jurisdictional situations may not always be avoidable, especially if they are mandated by law, the result of long-standing agreements, or serve a useful operational purpose for the jurisdictions involved. In such situations, a directive should address the issues noted in the commentary of standard 2.1.3.

(O O O O O O)

\*The Commission has exempted state agencies from having formal mutual aid agreements with agencies in adjoining states.

**2.1.3** *A written directive delineates the terms of any interagency agreement concerning concurrent jurisdiction.*

**Commentary:** The written directive should clearly outline such details as which agency responds to calls for service, by type of event if necessary; communication linkages between the agencies to ensure prompt and appropriate response; the provision of back-up support between jurisdictions, if necessary; reporting responsibilities; and policy concerning the jurisdiction of prosecutors and courts. (O O O O O O)

**2.1.4** *In the absence of controlling legislation governing mutual aid, the agency has written agreements with neighboring law enforcement agencies to provide mutual aid in emergency situations.*

**Commentary:** Emergency situations often require augmented law enforcement capabilities to restore order and assist victims. Cooperative agreements among neighboring agencies allow for quick and efficient augmentation of resources. "Neighboring agencies" should be defined as including those that adjoin or are within the agency's service area. The agreement should describe provisions for the indemnification of the provider agency and its personnel (i.e., life, health, and liability insurance) and should include a list of resources to be shared. (O O O O O O)

**2.1.5** *The mutual aid agreement includes an estimate of the amount of aid available from provider agencies.*

**Commentary:** See commentary for 2.1.4. Guidelines are necessary for establishing the extent of aid and the location of major resources. The agreement should stipulate provisions for maintaining adequate law enforcement services within the service area of the provider agency when its personnel and/or other resources are sent elsewhere to provide aid. (O O O O O O)

**2.1.6** *A written directive governs procedures for requesting federal law enforcement assistance in emergency situations.*

**Commentary:** Circumstances may require the assistance of federal law enforcement resources. Procedures should be in place prior to the need for such assistance to facilitate making such a request. (O O O O O O)

**2.1.7** *A written directive governs procedures for requesting National Guard assistance in emergency situations.*

**Commentary:** Emergencies may require the assistance of the National Guard. Procedures for requesting assistance should be in place prior to the need for such assistance to facilitate making such a request. (O O O O O O)

**2.1.8** *In the absence of controlling legislation governing the legal status of agencies acting under mutual aid, the mutual aid agreement includes, at a minimum, the following:*

- *the legal status of agencies and agency personnel responding to mutual aid requests;*
- *procedures for investing provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;*
- *procedures for requesting mutual aid;*
- *identity of those persons authorized to request mutual aid;*
- *identity of persons to whom outside personnel are to report;*
- *procedures for maintaining radio communication with outside personnel; and*
- *expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources.*

**Commentary:** The agency's mutual aid agreement should provide all the information necessary to initiate mutual aid activities either on behalf of the agency or at the request of a neighboring law enforcement agency. The agreement

should be reviewed at least annually to ensure that it describes the current legal status of, as well as current information about, the agencies that are party to the agreement.

(O O O O O O)

**2.1.9** *The agency's mutual aid agreement addresses the use of outside personnel in:*

- *mass processing of arrestees;*
- *transporting prisoners; and*
- *operating temporary detention facilities.*

**Commentary:** Prior to an emergency situation, procedures should be established that govern the participation of outside agency personnel in the mass processing of arrestees, transporting prisoners, and operating temporary detention facilities. (O O O O O O)

## **2.2 Regional Services**

**2.2.1** *If a statewide law enforcement radio system exists, the agency has access to the system by radio.*

**Commentary:** A statewide law enforcement radio system is a specifically designated communication network for general law enforcement inter-jurisdictional communication.

Law enforcement agencies should have ready access to each other to share and compare information on criminal activity and to summon assistance. Smaller agencies should be able to receive and transmit via larger nearby agencies in lieu of direct contact with all other state agencies.

(M M M M M M)

**2.2.2** *If a centralized statewide fingerprint records system exists, the agency participates in this system.*

**Commentary:** Centralized filing of fingerprints provides greater opportunity for swift identification and apprehension of criminal suspects. The agency should provide fingerprints and related information to the centralized repository and receive information on data stored. The agency may comply with this standard through an agreement with a nearby agency that provides this service. (M M M M M M)

**2.2.3** *If a centralized statewide criminal information system exists, the agency participates in this system.*

**Commentary:** Information on criminal suspects and on stolen property can facilitate apprehension and recovery, especially since a great deal of criminal activity is interjurisdictional.

(M M M M M M)

**2.2.4** *If a statewide crime reporting system exists, the agency participates in this system.*

**Commentary:** Participation in a statewide crime reporting system provides information on trends in crime and arrest rates. It also increases the accuracy of the national Uniform Crime Report compiled by the FBI. (O O O O O O)

## Glossary

**TOPICAL AREA:** AGENCY JURISDICTION, MUTUAL AID, AND REGIONAL SERVICES

**CONCURRENT:** Having equal jurisdiction or authority.

**EMERGENCY SITUATION:** An actual or potential condition that poses an immediate threat to life or property. In the context of mutual aid, it means a

situation that exceeds the capability of a local agency to counteract successfully.

**MUTUAL AID:** An exchange of services, personnel, and/or equipment between law enforcement agencies during times of emergency.

**NEIGHBORING JURISDICTION:** A law enforcement agency in an adjoining city or other unit of local government; in the case of a county, a city or other unit of local government within the county, or an adjoining county.

**PROVIDER AGENCY:** An agency that provides service, equipment, or supplies to another agency.

**RECEIVER AGENCY:** An agency that receives service, equipment, or supplies from another agency.

**STATEWIDE LAW ENFORCEMENT RADIO SYSTEM:** A radio communications network that permits the law enforcement agencies within the state to communicate with each other directly, through another agency, or by means of a relay system.

## NOTES

# 3

## CONTRACTUAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES

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

### 3.1 Contractual Agreements

**3.1.1** *Any contracted law enforcement service is based on an assessment of the recipient government's needs.*

**Commentary:** An analysis of local problems, needs, capabilities, and alternative methods of obtaining service should precede the purchase of law enforcement services to avoid arbitrary decision making. This standard is directed primarily at the provider agency, which should retain a copy of the assessment study.

(M M M M M M)

**3.1.2** *A written agreement governs contract law enforcement services provided to or provided by the agency.*

**Commentary:** The elements of contract law enforcement services should be clearly identified in a written agreement that covers, at a minimum, the subjects discussed in standards 3.1.3 through 3.1.10. The contract should be reviewed at least annually to ensure that the services contracted are being provided and to accommodate any changes that may have occurred in the service area. (O O O O O O)

**3.1.3** *Any contract for law enforcement services includes a statement of the specific services to be provided.*

**Commentary:** Included in a contract for law enforcement services should be precise statements that identify the nature and extent of services to be provided. Among the points that should

be included are the equipment and facilities to be used; the functions and activities to be performed; responsibilities for planning, organizing, and scheduling of services; guidelines for local ordinance enforcement by provider agency personnel; and guidelines concerning authority of provider personnel to cite an offender into appropriate courts. (M M M M M M)

**3.1.4** *Any contract for law enforcement services includes specific language dealing with financial agreements between the parties.*

**Commentary:** Precise accounting of the various elements included in service contracts should be made to avoid confusion and misunderstanding once the contract is in effect. Among the specific details that should be included are salaries and fringe benefits; payments for support services and overhead costs; maintenance of cost accounting records and the issuance of financial reports; a formula for increasing costs; time and manner of payment for services; and procedures for the disposition of revenues generated by law enforcement activities of provider agency personnel. Also, equipment costs, depreciation, and other direct and indirect costs should be included.

(M M M M M M)

**3.1.5** *Any contract for law enforcement services specifies the records to be maintained concerning performance of services by the provider agency.*

**Commentary:** The provider agency should maintain records concerning the nature and extent of

services that are provided under contract. Examples of the data to be recorded are numbers of calls for service, nature of the calls, number of arrests, number of persons arrested by sex and age, number of noncriminal calls, and assistance given. Records should note the geographical location of reported incidents, the time of day the call was received, the time required for a unit to respond, and the time on scene.  
(M M M M M M)

**3.1.6** *Any contract for law enforcement services contains language dealing with duration, modification, and termination of the contract.*

**Commentary:** Parties to the contract should have a clear understanding of the basic parameters of the agreement dealing with its beginning, duration, modification, and termination. Among the points that should be specifically addressed are the effective beginning and termination dates or conditions; procedures for termination, renewal, or amendment; and procedures for legal action in the event of default. (M M M M M M)

**3.1.7** *Any contract for law enforcement services includes specific language dealing with legal contingencies.*

**Commentary:** The contract should cover a variety of contingencies having obvious legal implications. Among the situations that should be included are a determination of which party will defend the provider agency in the event of a lawsuit arising from the provision of services; provisions for payment of compensation should the provider agency be found liable in a lawsuit; identification of persons who represent parties to the contract; procedures to be followed if a tort action is taken against provider agency personnel. (M M M M M M)

**3.1.8** *Any contract for law enforcement services stipulates that the provider agency maintains control over its personnel.*

**Commentary:** The provider agency should be responsible for the hiring, training, assignment,

disciplining, and dismissal of personnel so as to retain authority over its personnel and to maintain effective accountability.  
(M M M M M M)

**3.1.9** *Any contract for law enforcement services provides specific arrangements for the use of equipment and facilities.*

**Commentary:** Clear lines of responsibility should be agreed upon between the contracting parties concerning the ownership, use, and maintenance of equipment and facilities. Included in the contract should be provisions for property and facility ownership, leasing, purchasing, and disposition following termination of the contract and provisions establishing responsibility for maintenance of the equipment and facilities to be used.  
(M M M M M M)

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

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

## Glossary

TOPICAL AREA: CONTRACTUAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES

LAW ENFORCEMENT SERVICES UNDER CONTRACT: The provision of paid law enforcement services in accordance with a written contract. This does not encompass a situation in which an individual performs services for an agency under a personal services contract.

PROVIDER AGENCY: An agency that provides service, equipment, or supplies to another agency.

RECEIVER AGENCY: An agency that receives service, equipment, or supplies from another agency.

# 4

## RELATIONSHIPS WITH OTHER AGENCIES

Standards in this chapter relate to liaison with other agencies and interagency planning.

Establishing and maintaining effective channels of communication between law enforcement agencies and other agencies are essential first steps in improving cooperation. Good liaison can break down barriers that may exist and can result in savings (e.g., reduction of paid overtime and nonproductive duty time by eliminating unnecessary court appearances).

Although many programs can be instituted in the short run for immediate improvement in the interface between law enforcement and other agencies, none has the potential of coordinated, interagency criminal justice planning. Criminal justice coordinating councils provide a vehicle for change, and they enable law enforcement officials to eliminate barriers and problems before they become serious. Interagency task forces, although less potent as proactive tools, also highlight how agencies with differing mandates can plan and work together to create an impact greater than that of any individual agency.

### 4.1 Liaison

**4.1.1** *A written directive establishes procedures for maintaining liaison with criminal justice agencies, including, but not limited to:*

- local adult and juvenile courts
- prosecutors
- probation and parole agencies
- adult and juvenile correctional agencies

**Commentary:** Liaison enables law enforcement agencies to obtain feedback on investigative error or courtroom error; allows for greater understanding by the prosecutor of the problems encountered by law enforcement; provides probation and parole agency staffs with information about law enforcement objectives and activities; and helps ensure information exchange and coordination between law enforcement and correctional authorities. (O O O O O O)

**4.1.2** *A written directive establishes procedures for maintaining liaison with other law enforcement agencies in adjoining jurisdictions or agencies having concurrent authority in the agency's service area.*

**Commentary:** Law enforcement agencies should assist and cooperate with other federal, state, and local law enforcement agencies. Such cooperation enhances the likelihood that fugitives will

be apprehended and returned and facilitates the exchange of information in criminal investigations, the establishment of joint plans for dealing with matters of common concern, and the sharing of statistical and support services.

(O O O O O O)

**4.1.3** *The agency maintains liaison with local fire department officials and emergency medical services.*

**Commentary:** Periodic meetings between law enforcement and fire officials will provide a forum for developing plans for traffic direction and control at fire scenes and for resolving other coordination problems that may arise.

(O O O O O O)

**4.1.4** *A written directive establishes criteria on which adult and juvenile referrals to criminal justice and public and private social services are based.*

**Commentary:** Law enforcement officers, in the course of performing their duties, often encounter people in need of a type of help best provided by another criminal justice agency or a social service agency. The intent of this standard is to provide officers with a reasonable means of ascertaining whether an individual can best be served by another agency and, if so, by what agency.

(M M M M M M)

**4.1.5** *A written directive identifies the services and resources available through other public and social service agencies.*

**Commentary:** The intent of this standard is to ensure that officers are made aware of the diverse resources at their disposal. The agency should inform all officers of the resources and services available through such agencies as the Salvation Army, American Red Cross, child care centers, churches, and public welfare agencies.  
(M M M M M M)

## **4.2 Interagency Coordination and Planning**

**4.2.1** *A written directive establishes procedures for agency participation in the local criminal justice coordinating council's activities, if such a council exists.*

**Commentary:** Coordinated planning among criminal justice agencies has been recommended by no less than three presidential commissions. For a criminal justice coordinating council to

operate effectively, it must represent a broad spectrum of interests. Because law enforcement agencies play such a major role in the criminal justice system and refer many clients to other criminal justice agencies, their participation is essential to the formation of well-balanced inter-agency planning and coordination.  
(O O O O O O)

**4.2.2** *A written directive establishes procedures for maintaining liaison with agencies or groups involved in traffic safety.*

**Commentary:** Enforcement officials are responsible for the safety and efficiency of the highway transportation system; however, enforcement is not the sole factor in this field. Traffic engineering and education each play an important role. Through periodic meetings, concerned groups on the state or local level can objectively, intelligently, and analytically provide a united approach to traffic safety and efficient highway use. Exchange of information cannot be effectively maintained without specific and clearly defined working relationships among these groups.  
(O M M M M M)

# 5

## IMPROVEMENTS IN THE CRIMINAL JUSTICE SYSTEM

There is a need for implementing programs that have demonstrated their value in controlling specific problems. Numerous jurisdictions, for instance, have instituted major offender programs; others have started case review units. Almost without exception, these programs have produced positive results.

### 5.1 Improvements in the Criminal Justice System

5.1.1 *A written directive requires the following:*

- *specification of criteria designating certain individuals as habitual/serious offenders;*
- *identification of all cases in which a designated habitual/serious offender is a party; and*
- *notification to the prosecuting agency of such cases, accompanied by a request for its assistance in case preparation.*

**Commentary:** The directive should propose a process for identifying cases in which habitual or serious offenders play a role and for establishing criteria for handling such cases. Liaison with the prosecutor's office is very important in ensuring the success of a coordinated career criminal approach. (O O O O O O)

5.1.2 *A written directive requires that all cases the prosecutor declines to prosecute or causes to be dismissed owing to alleged law enforcement agency mishandling be reviewed by the agency.*

**Commentary:** Referring cases declined for prosecution or dismissed by the prosecutor to the concerned officer's supervisor can often be significant in achieving improvements and accountability. (O O O O O O)

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

**Commentary:** There are often social service diversion programs in which law enforcement agencies are directly involved, including detoxification, mental health, and drug abuse diversion

programs. Additionally, there are criminal justice diversion programs, principally for juvenile delinquents, but which may apply to others with whom the agency may be involved. The written directive should describe the agency's role in these programs. (O O O O O O)

5.1.4 *A written directive specifies the procedures for pretrial release of persons arrested.*

**Commentary:** In order to facilitate the successful operation of pretrial release programs, authority and responsibility for the operation of release on recognizance (ROR) and other pretrial release programs must be clearly stated to ensure the cooperation and participation of judges, attorneys, law enforcement and correctional officials, community leaders, and the participants. (M M M M M M)

5.1.5 *A written directive requires establishing priorities for serving outstanding arrest warrants, including those issued due to a defendant's failure to appear in court.*

**Commentary:** Although statistics show that few people released on bond or their own recognizance fail to appear in court, they also show that only a small percentage of those who willfully fail to appear are subsequently apprehended. Low apprehension rates are generally attributed to the fact that those who willfully fail to appear do not remain in the area for long. For this reason, quick action on the part of law enforcement agencies in serving outstanding warrants can significantly increase the likelihood of apprehension. (O O O O O O)

## NOTES

# 11

## ORGANIZATION

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

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

Although basic organizational principles are emphasized in this chapter, agencies with the capacity to go beyond the application of basic principles are encouraged to explore innovative approaches to organization. Partly for that reason, the level of compliance has been set as "other than mandatory" for most of the standards in this chapter.

### 11.1 Organizational Structure

**11.1.1** *A written directive describes the agency's organizational structure.*

**Commentary:** The agency should establish a formal structure through which organizational components are arranged, defined, directed, and coordinated. Separate organizational components should be established for the grouping of line functions (those activities that are directly related to carrying out the agency's objectives) and staff functions (those activities carried out to support the line functions).

(M M M M M M)

**11.1.2** *The organizational subdivisions within the personal span of control of the agency's chief executive officer are grouped by function.*

**Commentary:** There are several bases for organizing the components within a law enforcement agency, such as by time, geographical location, and clientele. However, in organizing the primary subdivisions within the span of control of the chief executive officer, the most accepted basis is grouping by function. (N/A O O O O O)

**11.1.3** *The agency's organizational structure is depicted on an annually updated organizational chart and made available to all personnel.*

**Commentary:** In addition to the written description, the agency should have an official organizational chart. The chart should reflect the chain of command and the lines of authority and com-

munication within the agency. The chart should be updated as required, but at least annually, and should be posted permanently in at least one location accessible to all personnel.

(O O O O O O)

**11.1.4** *A statement of responsibilities of each organizational component is available to all personnel.*

**Commentary:** To enhance coordination, all personnel should understand the responsibilities of each organizational component within the agency.

(O O O O O O)

### 11.2 Unity of Command

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

**Commentary:** To ensure that employees are aware of what is expected of them and to promote efficiency and responsibility, employees should be accountable to only one supervisor. There may be times when a supervisor has to give a command to an employee who is outside the chain of command. In ordinary circumstances, however, each employee should be able to identify one, and only one, supervisor to whom the employee is accountable. (M M M M M M)

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

**Commentary:** The intent of the standard is to avoid confusion among employees and to establish accountability. (N/A O O O O O)

**11.2.3** *A written directive establishes command protocol in situations involving personnel of different subdivisions 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 subdivisions within the agency are engaged in a single operation. The reliance on rank, as the designation of who is in command, may lead to confusion and discord. It may be feasible, in certain operational activities, to designate a person of lesser rank to maintain control. Command protocol should clarify who is in charge if patrol and detective personnel are present at the scene of an incident. (M M M M M M)

### 11.3 Span of Control

**11.3.1** *A written directive stipulates limits for the number of employees under the immediate control of supervisors.*

**Commentary:** To achieve effective direction, coordination, and control, the agency should not place an excessive number of employees under the immediate control of a given supervisor. This standard applies to each hierarchical level of the structure. Typically, at higher levels of authority, there are fewer employees in the span of control. The addition of employees increases the difficulty of command and decreases the efficiency of both the supervisors and their employees. (M M M M M M)

### 11.4 Authority and Responsibility

**11.4.1** *A written directive requires that responsibility be accompanied by commensurate authority.*

**Commentary:** The intent of the directive should be to establish a policy guideline 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. (M M M M M M)

**11.4.2** *A written directive states that each employee is accountable for the use of delegated authority.*

**Commentary:** The intent of the directive should be to establish a policy on employee accountability. A major priority of a law enforcement agency should be ensuring that each employee is made fully accountable for the use of delegated authority, as well as for the failure to use it. (M M M M M M)

## Glossary

TOPICAL AREA: ORGANIZATION

CHAIN OF COMMAND: Lines of communication going downward or upward within the organizational hierarchy through each successive level of command.

FUNCTION: The general term for the required or expected activity of an organizational component—e.g., the patrol function, the communication function, the planning function.

ORGANIZATIONAL COMPONENT: A subdivision of the agency, such as a bureau, division, section, or unit.

SPAN OF CONTROL: The number of persons reporting to any one supervisor.

UNITY OF COMMAND: The concept that each individual in the organization has one, and only one, immediate supervisor.

# 12

## DIRECTION

Standards in this chapter relate to direction and supervision. They concern the need to recognize and establish the authority of the chief executive officer, designation of command during the absence of the chief executive officer, the accountability of supervisors for the performance of subordinates, and the scope of the written directives system.

A written directive, as defined here, is any document that is intended to affect or guide the action of agency employees. Written directives may include policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

Agencies should establish a formal written directives system. If well-designed and correctly implemented, such a system can provide employees with a clear understanding of the constraints under which they should operate and the expectations they should fulfill. Written directives should be reviewed routinely to ensure their relevance and currency; the format of the directive system should facilitate revision.

Written directives shall be available to employees in an organized and accessible format. As a means of disseminating written directives, agencies should develop a manual or a series of manuals addressing different operations or components. (See standard 12.2.3.)

### 12.1 Direction

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

**Commentary:** The agency's chief executive officer will be the chief of police in most cities and other units of local government, or the sheriff in most counties. For the purpose of this standard, the agency's chief executive officer may be a director or commissioner of police or director or commissioner of public safety, even though the agency has a chief of police. A key point is that only one person should be so designated. (M M M M M M)

**12.1.2** *A written directive designates the order of precedence for command authority in the event of the absence of the agency's chief executive officer.*

**Commentary:** A system of succession should be established to ensure that leadership is available when the agency's chief executive officer is inca-

pacitated, off duty, out of town, or otherwise unable to act. (M M M M M M)

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

**Commentary:** To achieve effective direction, coordination, and control, supervisory personnel should be accountable for the performance of employees under their immediate supervision. This standard applies to each level of supervision within the agency. (M M M M M M)

**12.1.4** *A written directive requires employees to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.*

**Commentary:** To permit effective supervision, direction, and control, employees should promptly obey any lawful order of a superior. In the event an employee is given two different orders that may be in conflict, the last order given should prevail unless retracted or modified, such as through the effect of the directive required by standard 12.1.5. (M M M M M M)

**12.1.5** *A written directive specifies procedures to be followed by an employee who receives a conflicting order or directive.*

**Commentary:** There are several alternatives for dealing with situations in which employees receive conflicting orders. These may include (1) informing the supervisor (or other person issuing the order) and asking for resolution of the conflict or (2) following the most recent order.

In the event that the conflicting order is not altered or retracted, the employee should not be responsible for disobedience of the order or directive previously issued. (M M M M M M)

**12.1.6** *A written directive establishes procedures for conducting agency staff meetings.*

**Commentary:** The purpose of this standard is to enhance verbal direction by formalizing procedures for conducting staff meetings. It is intended to apply to all levels in the agency, including the chief executive officer and immediate staff and commanders and supervisors and their staffs. The procedure may provide for occasional attendance of other levels of staff at some meetings. Also, the procedure should specify the frequency of the meetings. (O O O O O O)

## 12.2 Written Directives

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

- *statements of agency policy;*
- *procedures for carrying out agency activities;*
- *rules and regulations;*
- *procedures for indexing, purging, updating, and revising directives;*
- *a description of the written directives system format;*
- *a policy statement that vests in the agency's chief executive officer the authority to issue, modify, or approve agency written directives; and*
- *identification of the persons or positions, other than the agency's chief executive officer, authorized to issue written directives.*

**Commentary:** The agency should establish a formal written directives system to provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. Agency directives should be current. Directives that are not self-cancelling should be reviewed, at least annually, after the original date of issuance to determine if they should be cancelled, revised, or continued in their present form.

The written directive system should permit rapid access to individual policies, procedures, and rules and regulations and should differentiate, if necessary, types of directives (e.g., general order, special order, personnel order).

(M M M M M M)

**12.2.2** *A written directive establishes procedures for staff review of proposed policies, procedures, and rules and regulations prior to their promulgation.*

**Commentary:** It is the intent of this standard to encourage procedures for the involvement of appropriate staff in review of certain written directives. It may be appropriate to involve a component of the agency in the revision of policies, procedures, and rules and regulations that will affect that component. The review and comment process should include bureau and/or division commanders and representatives of employee groups directly affected by the directive. Adequate time should be allowed for the review and comment process. (O O O O O O)

**12.2.3** *A written directive establishes procedures for dissemination of agency written directives, to include, at a minimum:*

- *distribution of directives to affected components and personnel;*
- *written acknowledgment indicating receipt of the directive; and*
- *placement of the directive into a manual.*

**Commentary:** The intent of this standard is to establish a formal system for ensuring that written directives are distributed to appropriate personnel and included in appropriate manuals. One of the most common means for disseminating agency written directives is the issuance of a manual or manuals. A manual should be considered the "official" repository of agency policy, procedures, and rules and regulations, and new directives should be incorporated into the manual. The manual should be in a format that permits easy revision, such as a binder-post notebook, and pages should be blank on one side. Every sworn officer should be issued an appropriate manual or manuals, and manuals should also be placed in accessible locations within the agency for easy reference.

(M M M M M M)

## Glossary

TOPICAL AREA: DIRECTION

GENERAL ORDER: A term used by some agencies to describe permanent directives concerned with policy,

rules, and procedures affecting more than one organizational component.

**INSTRUCTIONAL MATERIAL:** Training guides, bulletins, and checklists.

**MANUAL:** A collection of policies, procedures, rules and regulations, and/or other written directives.

**MEMORANDUM:** An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.

**PERSONNEL ORDER:** An announcement of changes in the status of personnel, such as a transfer or promotion.

**POLICY:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide

a framework for development of procedures and rules and regulations.

**PROCEDURE:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of "shall" rather than "should" or "must" rather than "may." Procedures sometimes allow some latitude and discretion in carrying out an activity.

**RULES AND REGULATIONS:** A set of specific guidelines to which all employees must adhere.

**SPECIAL ORDER:** A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

**WRITTEN DIRECTIVE:** Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

## NOTES

# 13

## GENERAL MANAGEMENT

These standards address management principles of a general nature that are not covered in other chapters.

### 13.1 General Management

**13.1.1** *The agency has a management information system, including:*

- *statistical and data summaries of agency activities*
- *administrative reporting program*

**Commentary:** The management information system should provide reliable information to be used in management decision making. This is important in predicting workloads, determining manpower and other resource needs, and preparing budgets. Examples of data sources are calls-for-service records, offense reports, arrest reports, and UCR reports. (O O O M M M)

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

- *daily report*
- *monthly report*
- *annual report*

**Commentary:** The administrative reporting system should provide management information on the activities of the agency. Properly designed administrative reports will reflect comparative data on activities and trends. An administrative reporting system is effective in ensuring communications up the chain of command.

The daily report should be a summary of significant occurrences during the previous 24 hours.

The purpose of the report is to keep personnel informed of major crimes, accidents, arrests, and other important activities. The daily report may be designed to include current data and statistics.

The monthly report should provide heads of organizational components an opportunity to account for the activities in their units during the previous month. Administrative matters may be discussed in the report, and comparative data on activities of the previous month, same month in the previous year, and year-to-date are valuable sources of management information. The monthly report may also permit the heads of organizational units to identify the objectives of their units for the next month.

The annual report may be a summary of the monthly reports. The report should provide comparative data and statistics and account for the activities of the agency. (M M M M M M)

**13.1.3** *The agency has a system to ensure accountability for agency forms.*

**Commentary:** The intent of this standard is to ensure accountability for forms that are used to record the exchange of property between the agency and the public. It also includes those forms that document an officer's activities in carrying out official duties. Examples of the former include bond and found property forms; examples of the latter include traffic citations and summonses. (M M M M M M)

## NOTES

# 14

## PLANNING AND RESEARCH

Standards in this chapter relate to planning and research capabilities within law enforcement agencies and to the organization and staff needed to perform these functions.

A full-time and permanent planning office is necessary for larger law enforcement agencies in order to respond to the amount and complexity of required planning and research. Staff should be appropriately educated and qualified for their positions, have a clear delineation of their responsibilities, and be held accountable to agency executives.

All law enforcement agencies perform certain planning functions, depending upon their size and mandate. Among these are analyses of reported crimes and requests for services, development of an agency plan and budget recommendations, liaison with other criminal justice planning agencies, and development of operational procedures and policy guidelines.

### 14.1 Organization

**14.1.1** *The agency has a planning and research component.*

**Commentary:** Planning and research activities are essential to effective agency management. Frequently, they should be the responsibility of a permanent component of the agency. Complex demands for services and declining public resources require that law enforcement agencies carefully research operational alternatives and plan future programs.

(N/A N/A N/A O M M)

**14.1.2** *A written directive establishes the functions of the planning and research component.*

**Commentary:** Precise guidelines should be written to establish the parameters of planning and research tasks and responsibilities. This process will fix staff accountability and reduce misunderstanding. Among the planning and research functions that may be included in the directive are crime analysis, multiyear planning, operations planning, budgeting, manpower allocation alternatives, systems analysis, uniform crime reporting, contingency planning, and traffic accident and enforcement pattern analysis.

(N/A N/A N/A O M M)

**14.1.3** *The agency employs at least one full-time planning and research staff member.*

**Commentary:** The complexities and demands of an effective planning and research unit require

the attention and skills of at least one full-time employee. (N/A N/A N/A O M M)

**14.1.4** *There is no more than one person in the chain of command between the director of the planning and research unit and the agency's chief executive officer.*

**Commentary:** The planning and research effort should be related as directly as possible to the agency's chief executive officer. Such proximity enhances the planner's ability to collect data and make programmatic recommendations and aids the chief's ability to make informed decisions.

(N/A N/A N/A O O O)

**14.1.5** *The director of the planning and research unit has a baccalaureate degree from an accredited college or a minimum of three years planning and research experience.*

**Commentary:** The competence of the unit's director is a major ingredient in a productive and effective planning and research effort. The need for this competence is reflected both in required academic training and in prior professional experience. (O O O O O O)

### 14.2 Functions

**14.2.1** *A written directive establishes the agency's planning and research functions.*

**Commentary:** The planning and research function is important in all agencies, regardless of size. The written directive should include a description of activities (budget development, forms control, grant management, strategic operational planning, traffic analysis, and information management) and how they should be organized or assigned. The directives of larger agencies (D, E, and F) should address planning within and outside the planning and research unit. (O O O O O O)

**14.2.2** *A written directive requires a semiannual analysis of operational activities, which includes the following items:*

- *type of activity*
- *location*
- *time*
- *date*

**Commentary:** The planning and research function should include periodic analyses of field operations activities to facilitate accurate and timely decision making in the allocation or deployment of agency resources. Analyses of field operational activities should include, in addition to the categories of information stated in the standard, data concerning the occurrence or report-

ing of each event, as follows: time of day, day of week, month, year, shift, beat, and patrol or reporting area. (N/A O O O O O)

**14.2.3** *A written directive requires dissemination of analytical reports to affected organizational units.*

**Commentary:** The opportunity for beneficial changes in the use of agency resources is facilitated by the dissemination of studies and information. (N/A O O O O O)

**14.2.4** *The agency has a multiyear plan which includes the following:*

- *goals and operational objectives;*
- *anticipated workload and population trends;*
- *anticipated personnel levels; and*
- *anticipated capital improvements and equipment needs.*

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

# 15

## CRIME ANALYSIS

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

Crime analysis represents a system utilizing regularly collected information on reported crimes and criminals to prevent and suppress crime and to apprehend criminal offenders. Crime analysis is a scientific process, in the sense that it involves the collection of valid and reliable data, employs systematic techniques of analysis, and seeks to determine, for predictive purposes, the frequency with which events occur and the extent to which they are associated with other events. Collecting and analyzing readily available crime data and making the analyzed information regularly available to line officers and investigators can make them more effective.

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

The standards in this chapter address crime analysis as it relates to both strategic and tactical activities. Although the title of this chapter is "Crime Analysis," the intent is to include all activity in the analysis function. The inclusion of all activity will enhance management decisions relative to resource allocation and prioritizing objectives for the agency (strategic). Accordingly, the analysis of all activity will have significant impact on operational activities in meeting the agency's objectives (tactical).

### 15.1 Crime Analysis

**15.1.1** *A written directive establishes and governs the agency's crime analysis function, including procedures for the following elements:*

- *collection of crime data;*
- *collation of crime data;*
- *analysis of crime data;*
- *dissemination of analyzed crime information; and*
- *feedback analysis and program evaluation.*

**Commentary:** A crime analysis function formally exists when a specific unit or person has been designated to collect and analyze available crime data and to disseminate the distilled crime information to operational user groups.

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention

objectives by (1) identifying and analyzing methods of operation of individual criminals, (2) providing crime pattern recognition, and (3) providing analyses of data from field interrogations and arrests. Also, much of the information developed by a crime analysis component can be useful to the agency's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

In small agencies, crime analysis may be a part-time activity of the agency's chief executive officer, or an activity assigned to an administrative unit. Whenever possible, the larger agencies should assign this activity to a specialized unit dedicated to the crime analysis function.

(N/A O O M M M)

**15.1.2** *The agency employs a full-time crime analyst.*

**Commentary:** The volume of offenses handled by the larger law enforcement agency dictates the need within these agencies for a continuing and dedicated approach to the analysis of crime, such as can be provided through the employment of one or more crime analysis specialists. Crime analysts should be selected according to their ability to analyze offenses, identify similarities, and reach logical conclusions based on such information. The crime analysis position may be filled by sworn or civilian personnel. State agencies with minimal crime control responsibilities may meet the requirements of this standard by assigning crime analysis to their traffic safety analyst, as defined in 61.3.2, as needed.

(N/A N/A O O M M)

**15.1.3** *A written directive specifies the source documents from which crime analysis data elements are extracted.*

**Commentary:** All sources available to an agency containing data essential to crime analysis should be identified and accessible for use in the crime analysis process. Examples of these sources are offense reports, field interview forms, and arrest reports.

(O O O M M M)

**15.1.4** *The agency has a system for briefing the agency's chief executive officer on crime patterns or trends as determined by the crime analysis function.*

**Commentary:** The intent of the standard is to create an "early warning system" so that the chief executive officer can be informed of trends through agency efforts rather than through outside sources. The chief executive officer should be aware of crime patterns and trends within the community and should not first hear about them through the agency's unit of government, local newspapers, or other outside sources.

(N/A O O M M M)

**15.1.5** *A written directive specifies the organizational components or persons to receive crime analysis information.*

**Commentary:** For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the agency's strategic plans should be provided to the appropriate staff units. When information pertains to tactical

and strategic plans, it should be provided to all affected units. (N/A O O M M M)

**15.1.6** *A written directive identifies the factors included in the crime analysis function, to include at a minimum:*

- *frequency by type of crime*
- *geographic factors*
- *chronological factors*
- *victim and target descriptors*
- *suspect descriptors*
- *suspect vehicle descriptors*
- *modus operandi factors*
- *physical evidence information*

**Commentary:** The analysis of crime should (1) identify similarities among different offenses and reveal commonalities and patterns in the characteristics of current crime problems; (2) assist in the screening and ordering of lists of suspects; and (3) aid in the assembling and ordering of specific crimes that may involve an offender already in custody. (N/A O O M M M)

**15.1.7** *The agency documents the temporal and geographic distribution of selected crimes.*

**Commentary:** This documentation may be in the form of spot maps or computer-generated print-outs. Pins of various colors, sizes, and types may be used to display the locations of crimes by type, times, and days of week and may include modus operandi factors, suspect information, victim and target descriptions, and property loss information—depending upon the degree of sophistication required by the agency.

(N/A O O M M M)

**15.1.8** *A written directive governs the distribution of crime analysis information to sources outside the agency.*

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

(N/A O O M M M)

**15.1.9** *A written directive requires the use of crime analysis information in developing agency tactics, strategies, and long-range plans.*

**Commentary:** Crime analysis information should be utilized in developing tactics for operational components, general crime suppression strategies, and manpower and resource projections for a multiyear period.

Crime analysis, by identifying crime patterns or trends, can, through statistical analysis, determine the optimum strategy, tactics, and number of personnel necessary to deal with the problem. The possibility of crime displacement and/or disruption as the result of specialized operations and the emergence of new crime patterns require close examination to determine the need for continued specialized deployment. Efficiency, effectiveness, and officer morale are all enhanced when specialized assignments are used to counteract existing crime patterns or trends.

Additionally, the long-range planning effort should prove beneficial in budgeting and other administrative activities. Factors to be considered include (1) analysis of crime trend data by type of crime; (2) analysis of offender characteristics;

and (3) analysis of crime trend data by location. (N/A O O M M M)

**15.1.10** *The effectiveness and utilization of crime analysis information by the affected agency units are documented.*

**Commentary:** For the crime analysis function to be effective, several elements should be present. One of these elements is feedback on the analyzed information from the units receiving and using same.

Procedures for soliciting and receiving feedback from departmental units should be established. The procedures should be designed to measure the crime analysis function's internal productivity and its external impact in relationship to acknowledged objectives. The procedures should attempt to ascertain whether the crime analysis process, as currently employed, is efficient and whether its products are effective tools for combating the crimes selected by the agency for analysis. (N/A O O M M M)

## NOTES

# 16

## ALLOCATION AND DISTRIBUTION OF PERSONNEL AND PERSONNEL ALTERNATIVES

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

Workload assessments are not necessarily scientific determinations of needs for service but rather involve deliberations to ascertain the number of personnel necessary to complete a specific number of tasks or to fulfill certain objectives. In contrast, some systems for allocating patrol, traffic, and investigative personnel and for distributing patrol personnel may use computer-based technology or specific formulas for deploying personnel.

Standards in 16.1 address the allocation of personnel. Allocation, as defined here, is the determination of the overall numbers of personnel for the agency and for each organizational component within the agency.

Standards in 16.2 concern the distribution of personnel, defined here as the assignment of a given number of personnel within each organizational component according to functional, spatial, and/or temporal workload demands.

Standards in 16.3 involve establishment of a means for governing specialized assignments as well as procedures related to announcement of openings and the specification of selection criteria related to specialized assignments.

Standards in the remaining sections of this chapter (16.4, 16.5, and 16.6) are intended to encourage the utilization of civilian employees, where appropriate, and ensure that law enforcement officers are assigned to activities requiring law enforcement authority.

Personnel alternatives include:

- use of reserves to supplement, but not replace, full-time sworn personnel;
- use of auxiliaries, as needed, in special situations; and
- use of civilians in lieu of full-time, sworn officers.

Personnel alternatives are not intended as a substitute for law enforcement officers in those positions requiring law enforcement authority. Rather, personnel alternatives are intended to achieve the use of law enforcement officers in the appropriate configuration supported by civilian staff.

Personnel alternatives are divided into three subchapters. The first, Reserves (16.4), covers unsalaried, part-time, trained, sworn law enforcement officers, selected on the same basis (except for age requirements) as full-time, sworn officers.

The second subchapter, Auxiliaries (16.5), covers nonsworn personnel selected on the basis of their interest in, and concern for, the needs of law enforcement. Auxiliaries are not law enforcement officers and are utilized for community relations and other liaison, emergencies, disasters, and other support activities.

The third subchapter, Civilians (16.6), covers employees performing tasks that need not be performed by a trained, sworn law enforcement officer and that may be efficiently performed by a civilian employee.

## 16.1 Allocation of Personnel

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

- *total personnel strength as authorized by the agency's government; and*
- *number of personnel, by rank or job title, within each organizational component, including civilians.*

**Commentary:** Although not required by the standard, figures on actual (in addition to authorized) strength are also useful and may be included in the staffing table. (N/A O M M M M)

**16.1.2** *The agency allocates personnel to organizational components in accordance with workload assessments.*

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

**16.1.3** *The allocation of personnel to the patrol component is based on a workload assessment containing an analysis including the following, at a minimum:*

- *number of incidents handled by patrol personnel during the specified period;*
- *average time required to handle an incident at the patrol level (or measurement of a sampling of cases);*
- *calculation of the percent of time, on the average, that should be available to the patrol officer for handling incidents during a specified period (such as an eight-hour shift); and*
- *time lost through days off, holidays, and other leave, compared to the total time required for each patrol assignment.*

**Commentary:** The workload assessment system should include an outline of the calculations required and any source documents, personnel, and/or equipment necessary to accomplish the task. (N/A N/A O M M M)

**16.1.4** *At least annually, the agency calculates the assignment/availability factor for patrol personnel.*

**Commentary:** The assignment/availability factor is useful in calculating the number of personnel required to carry out various assignments. The assignment/availability factor is a ratio representing the total potential person-days available (the number of patrol personnel multiplied by 365 days) compared with the actual person-days available for assignment (potential person-days less time lost through days off, leave, holidays, training, etc.). (O O M M M M)

**16.1.5** *At least annually, the agency uses an automated or computer-assisted system for allocating and distributing patrol personnel.*

**Commentary:** There are a number of automated or computer-assisted systems available that are designed to assist agencies in determining the number of patrol units to have on duty by time of day and day of week as well as the number and size of each patrol beat. Most models were developed in association with law enforcement agencies and are sometimes designed for use with microcomputers. The agency should carefully assess its needs and resources to determine the appropriate system for its service area. (N/A N/A N/A O O O)

**16.1.6** *At least annually, the agency reassesses the allocation of personnel.*

**Commentary:** Allocation of personnel should be in accordance with current workload demands. Because of fluctuations in workloads, the agency should reassess, at least annually, the workload demands of each organizational component. (O O M M M M)

## 16.2 Distribution of Personnel

**16.2.1** *Agency personnel allocated to an organizational component are distributed in accordance with workload assessments.*

**Commentary:** The intent of the standard is to encourage the equalization of individual workloads within each organizational component. The analysis should specify all incidents and factors used in making each workload assessment and indicate any time and location factors necessary to complete a task. (O O O O O O)

**16.2.2** *At least annually, the agency reassesses the distribution of personnel.*

**Commentary:** Distribution of personnel should be in accordance with current workload demands. Because of fluctuations in workloads, the agency should reassess, at least annually, the workload demands of each organizational component. An exception to this standard concerns the reassessment of patrol personnel distribution, which should be reassessed quarterly (see standard 16.2.10). (O O M M M M)

**16.2.3** *For purposes of the distribution of patrol personnel, the agency maintains a map of its service area organized into identified reporting areas.*

**Commentary:** To facilitate the collection and analysis of information relating to crimes and services as well as the geographic distribution of patrol personnel, the agency should establish a system of reporting areas of roughly equal populations. The boundaries of reporting areas may follow census tracts, which could be subdivided, if necessary, to achieve two reporting areas for each 1,000 population. Because the reporting areas are designed to enhance the development of patrol beats, they should follow natural boundaries, arterial streets, railroad tracks, bridges, freeways, etc.

The agency should record a reporting area identifier in connection with every incident and should consider recording by reporting area number any other workload factors that influence personnel distribution studies. (O O M M M M)

**16.2.4** *At least annually, the agency tabulates incidents by reporting areas.*

**Commentary:** Such a tabulation enables the agency to reassess demands for service and the relative importance of workload distribution factors. Tabulations may be based on a sample of incidents. (O O M M M M)

**16.2.5** *Patrol personnel are distributed in accordance with temporal and geographic distribution of incidents.*

**Commentary:** The proportional distribution of patrol personnel is one of the primary means of improving the agency's efficiency and effectiveness. The agency's system for determining the appropriate proportional distribution should take into account incidents, locations, and variations in workload. It should also recognize "temporal" concerns, such as the hour of day and day of week when incidents occur. To ensure that the system is used correctly, a directive should establish procedures for the implementation and operation of

the system. The directive should also specify the source documents, data on incidents and personnel, and/or equipment necessary to accomplish the task. Procedural guidelines should be established, and detailed information on the need for proportional distribution of personnel and the goals and objectives of the system should be provided. (O O M M M M)

**16.2.6** *The agency identifies workload according to shift periods.*

**Commentary:** The intent of the standard is to require the agency to determine the percentage of the patrol workload on each shift. (O O M M M M)

**16.2.7** *The agency collects and analyzes data on the hourly distribution of incidents.*

**Commentary:** The distribution of personnel within shift hours may be affected by hourly workload variations. This will require an analysis of the hourly distribution of incidents needing a law enforcement response. This information is also important to management decisions relative to utilization of patrol officers. (O O M M M M)

**16.2.8** *The number of patrol beats on each shift is proportionate to the workload occurring on each shift.*

**Commentary:** Refer to standard 16.2.6. As the workload for officers fluctuates according to shift, so should the number and size of patrol beats. By adjusting the number of beats according to shift, the agency facilitates the geographic distribution of patrol personnel. (O O M M M M)

**16.2.9** *The boundaries of each patrol beat are based on a grouping of reporting areas.*

**Commentary:** By grouping individual reporting areas into beats, an agency can equalize its workload more easily. (O O M M M M)

**16.2.10** *The agency reassesses, at least quarterly, the distribution of patrol personnel.*

**Commentary:** Every three months the agency should reassess and revise, when necessary, the distribution of patrol personnel. Temporal and geographic demands for service as well as shift hours and beat configurations should be analyzed to determine if any revisions are necessary. (O O M M M M)

## 16.3 Specialized Assignment

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

- *the evaluation of the initial problem or condition that required the implementation of the specialized assignment; and*
- *a cost-benefit analysis of continuing the specialized assignment.*

**Commentary:** Once a specialized program, activity, or organizational component has been developed, there may be a tendency toward continuing growth without further scrutiny of the need for specialization. Decisions regarding the continuation of specialized assignments are important to the agency. The development of an annual formalized review of all specialized assignments will help avoid overspecialization and ensure the continued effective operation of agency specialization. (O O O O O O)

**16.3.2** *A written directive requires anticipated specialized assignment openings to be advertised by written announcement agencywide.*

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

(M M M M M M)

**16.3.3** *A written directive specifies the criteria for the selection of personnel for specialized assignments within a given position classification.*

**Commentary:** The criteria for assignment should be based on the skills, knowledge, and abilities required for the specialized assignment and should include, at a minimum, formal education requirements and the length of experience required. (M M M M M M)

## 16.4 Reserves

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

**Commentary:** Reserve officers generally perform the same duties, consistent with applicable law, as full-time sworn officers. To accomplish these tasks, they may require law enforcement powers

equivalent to those of full-time officers. The directive should describe the duties and responsibilities of reserve officers, define their authority and discretion in carrying out their duties, and delineate the amount of supervision they are to receive. (M M M M M M)

**16.4.2** *Reserve selection criteria meet those for full-time officers, except for entry-level age.*

**Commentary:** Reserve officers are required to perform the same duties and accept the same hazards and responsibilities as full-time officers. Age, except as it impacts on job performance, is not a concern because reserve officers are not on a career path. Educational level, experience, physical condition, and other selection criteria applicable to full-time officers apply equally to reserves. Some reserve officers may bring with them specialized skills not normally found in entry-level, full-time officers. The application of selection criteria exceeding those for full-time officers for all or a portion of the reserve department is not inappropriate.

The standard is applicable to reserves appointed after May 3, 1985, the date of the enactment of this interpretation at the Commission meeting in Atlanta, Ga. (M M M M M M)

**16.4.3** *If the agency has a mandatory retirement age for full-time officers, that age is also designated as the maximum service age for reserve officers.*

**Commentary:** The intent of this standard is to prevent the hiring and use of reserve officers at an age that would be beyond the mandatory retirement age of full-time officers. For example, if the mandatory retirement age of a regular officer is 65, it would be illogical to appoint or retain a 70-year-old reserve officer.

(M M M M M M)

**16.4.4** *Reserve officers are commissioned only after completion of a training program on the duties to be performed as specified in 16.4.1, equal to that required for full-time officers performing the same duties and responsibilities.*

**Commentary:** The intent of this standard is (1) to ensure that reserve officers receive training equal to that required of full-time officers in those areas of assigned duties and responsibilities and (2) to supplement rather than conflict with existing minimum training requirements for reserve officers. The subject matter in the training program should cover topics related to assigned duties and responsibilities to the same extent that full-time officers are trained to perform like functions.

Training hours and schedule may vary to accommodate the reserve schedule, and the course duration may be extended.  
(M M M M M M)

**16.4.5** *Reserve officers are assigned to assist full-time personnel both in the day-to-day delivery of law enforcement services and for emergencies.*

**Commentary:** For reserve officers to become proficient in the performance of law enforcement services, it is essential that they have a high degree of familiarity with the operations of the department, confidence in their abilities, and competence acquired through regular experience. This objective may not be accomplished if reserve officers are employed infrequently, for example, only in cases of emergencies.  
(M M M M M M)

**16.4.6** *Reserve officers wear the same uniform as full-time officers.*

**Commentary:** Uniforms for reserve officers, except for insignia, patches, or badges, should not be distinguishable from those of full-time officers. Quantity of uniforms and equipment may be reduced to reflect the level of activity of reserve officers. (O O O O O O)

**16.4.7** *Reserve officers are equipped the same as full-time officers performing like functions.*

**Commentary:** Equipment for reserve officers should not be distinguishable from that of full-time officers. Equipment may be reduced to reflect the level of activity of reserve officers.  
(O O O O O O)

**16.4.8** *Reserve officers receive in-service training equivalent to that of full-time officers performing like functions.*

**Commentary:** The hours and schedules may vary to accommodate the reserve program schedule.  
(M M M M M M)

**16.4.9** *Reserve officers are tested for firearms proficiency with the same frequency as full-time officers performing like functions.*

**Commentary:** Reserve officers' schedules may not permit participation in regularly scheduled firearms training. They should qualify either as a part of the regularly scheduled program or in a special reserve qualifications program. Qualifying standards and scores for reserve officers should be identical to those for regular officers.  
(M M M M M M)

**16.4.10** *Reserve officers are bonded with the coverage provided to full-time officers performing like functions.*

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

**16.4.11** *Reserve officers are provided with public liability protection equal to that provided to full-time officers.*

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

## 16.5 Auxiliaries

**16.5.1** *A written directive establishes and describes the agency's auxiliary program.*

**Commentary:** Auxiliaries are not commissioned as law enforcement officers. Auxiliaries should be assigned primarily to law enforcement-related community service functions. They can also be used as a resource in emergencies and large-scale special events. Generally, they receive significantly less training and should not be involved in the day-to-day delivery of law enforcement services. Their duties do not require the status of a sworn officer, and their level of training does not warrant a commission.  
(M M M M M M)

**16.5.2** *Auxiliaries are not assigned to duties requiring sworn officer status.*

**Commentary:** Utilization of auxiliaries in positions classified as civilian is appropriate, if they possess the requisite skills.  
(M M M M M M)

**16.5.3** *Written directives govern the duties of auxiliaries.*

**Commentary:** The written directives should specify the manner of auxiliary utilization, the scope of auxiliary duties, and the limitations of their authority. (M M M M M M)

**16.5.4** *Auxiliaries receive classroom training in those duties identified in agency written directives.*

**Commentary:** Auxiliaries will function in support of community relations activities and other civilian-level support activities. If their role includes support of the agency through performance of quasi-law enforcement duties (e.g., emergency procedures, disaster relief, or special operations), auxiliaries should receive training appropriate to the duties anticipated.  
(M M M M M M)

**16.5.5** *The uniforms of auxiliaries clearly distinguish them from sworn officers.*

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

(M M M M M M)

## 16.6 Civilians

**16.6.1** *Positions not requiring sworn personnel are specified as civilian positions and staffed accordingly.*

**Commentary:** Generally, those positions common to other governmental agencies and requiring skills other than those of sworn officers should be designated as civilian. Sworn personnel may be temporarily assigned to these positions in the event of an urgent agency need or to broaden an officer's experience. (For example, temporary assignment of an officer to dispatch duties.) Sworn personnel are not to be permanently assigned to civilian positions. (N/A N/A O O O O)

**16.6.2** *An annual review is conducted of all positions to determine whether they should be designated as civilian.*

**Commentary:** Reviews should be designed to ensure that law enforcement officers are not assigned to positions not requiring law enforcement authority. (N/A N/A O O O O)

## Glossary

**TOPICAL AREA: ALLOCATION AND DISTRIBUTION OF PERSONNEL AND PERSONNEL ALTERNATIVES**

**ACTUAL STRENGTH:** The total number of persons currently employed in an agency.

**AUTHORIZED STRENGTH:** The number of personnel legally or officially sanctioned by the agency's government.

**AUXILIARY:** A civilian affiliated with the law enforcement agency in a part-time, unsalaried, non-sworn capacity because of his or her interest in contributing to the agency's role in a support capacity.

**BEAT:** A geographic area assigned to a patrol officer. The term "beat" applies to the area patrolled by an officer on foot or in a vehicle.

**BUDGETED STRENGTH:** The number of personnel for whom funds have been authorized for a given period. This number can, but does not necessarily have to, coincide with authorized strength.

**CIVILIAN:** A nonsworn employee.

**INCIDENT:** An event that requires law enforcement action or the dispatching of officers in response to citizen requests for law enforcement services. This includes any incident, whether criminal or noncriminal, for which there has been a response to the scene, an investigation, or the preparation of an oral or written report.

**PERMANENT SHIFT:** The assignment of officers to specific shift hours for an indefinite period.

**REPORTING AREA:** A subdivision of the agency's service area, usually no more than a few city blocks in size, that is used as the smallest geographical unit for aggregating data on the distribution of calls for service by location.

**RESERVE:** A part-time, sworn law enforcement officer who may possess the same powers and perform the same duties as full-time officers. Reserve officers have qualifications and training equivalent to full-time, sworn officers performing like functions and are utilized to supplement the agency's day-to-day delivery of law enforcement services.

**SHIFT:** A time division of the day for purposes of assignment, such as an eight-hour period. Shifts may be consecutive eight-hour periods or they may overlap to meet unusual or peak loads.

**SPECIALIZED ASSIGNMENT:** An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

**SWORN OFFICER:** A commissioned law enforcement officer, subject to an oath of office and possessing those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction.

**WORKLOAD:** The sum total of cases and other measurable activities occurring within a given area or time period.

# 17

## FISCAL MANAGEMENT

Standards in this chapter relate to budgeting, accounting, and fiscal control procedures.

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

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

Accounting procedures should be compatible with those of the governing jurisdiction. The accounting system is intended to prevent budget discrepancies and to make sure that the projected flow of funds is proceeding as planned.

There should be provisions for controlling the purchasing process and for making purchasing as effective and efficient as possible.

### 17.1 Fiscal Management

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

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

**17.1.2** *If the agency's chief executive officer does not personally perform the fiscal management function, a written directive designates the position or component having the responsibility for fiscal management functions.*

**Commentary:** Although the agency's chief executive officer is ultimately responsible for all fiscal matters of the agency, the size and complexity of the agency may dictate delegating responsibility for fiscal management functions to an identifiable person or component within the agency. For the purpose of the standard, the "fiscal management function" includes, at a minimum, annual budget development, supervision of internal expenditures and related controls, and maintenance

of liaison with the government's fiscal officers. (O O O O O O)

**17.1.3** *If the agency has a fiscal management component, at least one employee assigned to the component has a baccalaureate degree in accounting, business administration, or a related field from an accredited college and a minimum of three years of fiscal management experience.*

**Commentary:** To ensure integrity and reliability in administering the agency's fiscal matters, the assignment of such an individual should be based upon appropriate professional education, training, and experience. Ideally, the supervisor of the component should have the qualifications mentioned in the standard. At a minimum, however, at least one employee should be so qualified.  
(N/A N/A N/A O O O)

**17.1.4** *A written directive requires the heads of major organizational components within the agency to participate in the preparation of the agency's budget.*

**Commentary:** The agency's budget should be developed in cooperation with all major organizational components within the agency. To increase the value of the input and to enhance coordination in the budget process, guidelines

should be established to inform the heads of components of the essential tasks and procedures relating to the budget preparation process. The guidelines should include instructions for preparing budget request documents and for providing adequate justification for major continuing expenditures or changes in continuing expenditures. For the purpose of this standard, a "major organizational component" is a bureau, division, or other component depicted on the organizational chart as the first or second level below the agency's chief executive officer.

(N/A N/A N/A O O O)

**17.1.5** *Within the past year, agency components have prepared written recommendations, based on operational and activity analyses, for use in the development of the agency's budget.*

**Commentary:** In particular, recommendations concerning personnel resources are logical and necessary outcomes of analytic and programmatic activities. In addition to an assessment of future personnel needs, the analysis should include an assessment of presently assigned positions to ensure that positions allocated to agency functions are appropriate.

(N/A N/A N/A O O O)

**17.1.6** *The agency has an accounting system that includes, at a minimum, provisions for monthly status reports showing:*

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

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

**17.1.7** *A written directive requires procedures for maintaining position control in relation to budget authorizations.*

**Commentary:** The intent of the standard is to establish controls on the number and type of

agency positions filled and vacant at any time to ensure that persons on the payroll are legally employed and that positions are in accordance with budget authorizations.

(N/A N/A N/A O O O)

**17.1.8** *A written directive specifies procedures used for collecting, safeguarding, and disbursing cash, to include, at a minimum:*

- *maintenance of an allotment system, if any, or records of appropriations among organizational components;*
- *preparation of financial statements;*
- *conduct of internal audits; and*
- *persons or positions authorized to accept or disburse funds.*

**Commentary:** Formal fiscal control procedures enable the agency to establish accountability, to comply with funding authorizations and restrictions, to ensure that disbursements are for designated and approved recipients and, more importantly, to alert agency management to possible problems requiring remedial action.

(M M M M M M)

**17.1.9** *A written directive establishes procedures for conducting internal monitoring of the agency's noncash fiscal activities.*

**Commentary:** The intent of the standard is to provide continuous monitoring of the agency's fiscal activities. Internal monitoring provides pertinent information for determining whether established internal control procedures are being administered effectively and for evaluating the performance of staff responsible for fiscal management functions. (M M M M M M)

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

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

(M M M M M M)

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

- *specifications for items requiring standardized purchases;*
- *bidding procedures; and*
- *criteria for the selection of vendors and bidders.*

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

**17.1.12** *A written directive governs procedures for emergency purchasing or rental agreements for equipment.*

**Commentary:** Emergencies often require the purchase or rental of additional or more sophisticated equipment. Procedures are necessary to outline the methods for securing or procuring such equipment efficiently.  
(M M M M M M)

**17.1.13** *A written directive governs procedures for inventory control of agency property, equipment, and other assets.*

**Commentary:** Inventory controls are intended to prevent losses and unauthorized use and to avoid both inventory excesses and shortages. Complete records should be maintained for all agency property, equipment, and other assets.  
(M M M M M M)

**17.1.14** *A written directive governs procedures for requesting supplemental or emergency appropriations and fund transfers.*

**Commentary:** Provisions should be available within the agency's budget system to meet circumstances that cannot be anticipated by prior fiscal planning efforts (e.g., additional funds to compensate for overtime expended during a civil disturbance or funds needed to purchase needed materiel not authorized in the operating budget). Mechanisms of adjustment may include transferring funds from one account to another and/or requesting that additional funds be granted for agency needs. (O O O O O O)

## Glossary

### TOPICAL AREA: FISCAL MANAGEMENT

**ALLOTMENT:** An authorization for, or limitation on, expenditures for a given period. For example, the agency may be appropriated a certain amount for an entire budget year, but may be authorized to spend only one-fourth of the amount during any quarterly allotment period.

**APPROPRIATION:** Money that the agency is authorized to spend for a specific purpose, such as for personnel services, operating expenses, supplies, etc.

**ENCUMBRANCE:** A commitment in the form of an order, contract, salary, or similar item that will become payable when goods are delivered or services rendered.

**UNENCUMBERED BALANCE:** That part of an appropriation or allotment that has not been committed and is thus available for expenditure.

## NOTES

# 21

## CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES

Standards in this chapter relate to job task analysis, classification, and matters affecting the delineation of duties and responsibilities.

The literature of personnel administration reflects considerable variation in the use of such terms as class, job, and position. The most commonly used meanings have been chosen for use in this chapter; key terms are defined in the glossary.

The most important process in classification is job task analysis, which is a prerequisite to effective position classification, salary administration, supervision, and training. Also important is establishing a classification plan.

### 21.1 Job Task Analysis

**21.1.1** *A written directive states that the objectives of job task analysis are to:*

- *serve as a basis for the determination of a position classification plan and compensation;*
- *provide a basis for establishing minimum qualification requirements for recruitment, examination, selection and appointment, and promotion;*
- *assist in the establishment of training curricula; and*
- *provide guidance to employees and their supervisors concerning the duties and responsibilities of individual positions.*

**Commentary:** Job task analysis supplies the agency with basic information needed for many personnel and management activities. It should be noted that the objectives listed in the standard are not all inclusive. (O O O O O O)

**21.1.2** *A written job task analysis of every position in the agency is maintained on file.*

**Commentary:** Pertinent information about the duties and responsibilities of each position may be obtained through group and/or individual employee interviews, supervisory interviews, direct observation, and questionnaires. The skills, knowledge, abilities, and behavior required to perform a job may be derived through a critical analysis of the various tasks that constitute each job. These characteristics should have a logical relationship to one or more job tasks or duties.

Expert opinion and tested experience should be used to categorize and establish priorities regarding (1) the relative importance of the tasks; (2) the minimum level of proficiency necessary in the job-related skills, knowledge, abilities, and behavior; (3) the means by which these characteristics may be acquired; (4) minimum qualifications; and (5) methods of measuring or testing for these characteristics.

(M M M M M M)

**21.1.3** *The written job task analysis required by standard 21.1.2 includes, at a minimum:*

- *duties, responsibilities, and tasks of each position;*
- *frequency with which each task is performed; and*
- *minimum level of proficiency necessary in the job-related skills, knowledge, abilities, and behaviors.*

**Commentary:** A variety of valid and useful methods is available for conducting a job task analysis, and no one method is necessarily better than another. Those responsible for the job task analysis may use whatever techniques are the most economical and efficient for analyzing and presenting the basic information required.

(M M M M M M)

### 21.2 Classification

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

- *grouping of every job into classes, based upon similarities in duties, responsibilities, and qualification requirements;*
- *existence of class specifications for every job within a class;*
- *provisions for relating compensation to classes; and*
- *provisions for reclassification.*

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

**21.2.2** *A written directive specifies the role of the agency in the development and maintenance of class specifications.*

**Commentary:** If the agency has sole responsibility for personnel administration, then it should assume this role. If another governmental entity has the responsibility, the directive should define the agency's role in the process.  
(M M M M M M)

**21.2.3** *A written directive requires an annual review and, if necessary, revision of the agency's written classification plan.*

**Commentary:** The classification plan should be kept up to date and should reflect jobs as they actually exist. As soon as a change is made by the classification authority, it should be reflected in the plan. If no revisions are necessary, the review should be noted, dated, and signed.  
(M M M M M M)

### **21.3 Delineation of Duties and Responsibilities**

**21.3.1** *A written directive requires a statement of the duties and responsibilities of each position within the agency.*

**Commentary:** Statements of duties and responsibilities for each position within the agency should be prepared and made available to managers and supervisors. Such statements are key elements in achieving more effective management and supervision.

(O O O O O O)

**21.3.2** *A statement of duties and responsibilities of each position is available to all personnel.*

**Commentary:** All sworn and civilian personnel should be able to review up-to-date descriptions of the duties and responsibilities of each position within the agency—particularly duties and responsibilities of the positions that they occupy.  
(O O O O O O)

## **Glossary**

**TOPICAL AREA: CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES**

**CLASS:** A grouping of jobs for which duties, responsibilities, qualifications, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices. (See "Position" below for the differentiation among class, job, and position.)

**CLASS SPECIFICATION:** An official statement or guideline about the general duties, responsibilities, and qualifications involved in the kinds of jobs included in the same class.

**JOB:** One or more positions with duties and responsibilities that are identical in all significant respects so that a single descriptive title can be used to identify the work done by incumbents. (See "Position" below for the differentiation among class, job, and position.)

**JOB TASK ANALYSIS:** A systematic examination of the functions and objectives of each job to be performed as it relates to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

**ON FILE:** On hand; catalogued or recorded in an official written record (including microfilm, microfiche, or computer printout) that is available for visual inspection in the agency.

**POSITION:** The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant. For purposes of comparison, a patrol officer assigned as a court officer working in Room 1206 would occupy a "position." Patrol officer would be the "class"; and patrol officer (assigned as a court officer) would be a "job."

# 22

## COMPENSATION, BENEFITS, AND CONDITIONS OF WORK

The nature of work performed by law enforcement agencies requires that special attention be given to compensation for this work and to benefits offered to employees if these agencies are to compete successfully in the labor market and retain competent personnel.

The standards in this chapter recognize that in many jurisdictions a central personnel agency has the responsibility for defining and carrying out many personnel functions for all local government agencies, including the law enforcement agency. As a matter of good management practice, the chief executive officer of any organization should retain certain management prerogatives in regard to the compensation and benefits of subordinate employees.

In most jurisdictions, the chief executive officer will function in only an advisory capacity to the centralized personnel agency concerning matters of compensation and benefits. He or she will take an advisory role in these respects at the time the budget is submitted for the agency. Success in these matters is critical if the agency is to provide service at a reasonable cost, compete for qualified personnel, retain competent personnel, offer advancement and promotion incentives, and reward superior performance. Standards in 22.1 and 22.2 of this chapter are of particular concern.

### 22.1 Compensation

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

- *entry-level salary for the agency;*
- *salary differential within ranks;*
- *salary differential between ranks;*
- *salary levels for those with special skills, if any;*
- *compensatory time policy; and*
- *overtime policy.*

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

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

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

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

**22.1.2** *A written directive describes the means used in determining the elements of the salary program.*

**Commentary:** The methods used in setting entry-level salary, in determining salary differentials, and in establishing salary levels for those with special skills should be described. (M M M M M M)

**22.1.3** *The agency's salary program is reviewed annually.*

**Commentary:** Both the means for determining the entry-level salary and the criteria used for determining separation of salary between ranks and increases within ranks should be reviewed each year in terms of their fairness. The review should be conducted at a time consistent with preparation of the budget.

(M M M M M M)

**22.1.4** *A written directive governs the provision of salary augmentation.*

**Commentary:** The written directive should describe the conditions under which different kinds of salary augmentation, if any, would be provided; the amount in each case; and the period of time during which the augmentation would be given. Such salary augmentations may include, among others, overtime, merit, hazardous duty, and academic incentive pay.

(M M M M M M)

## **22.2 Benefits**

**22.2.1** *A written directive describes the agency's fringe benefits program.*

**Commentary:** Each of the benefits provided to employees should be described in terms of what is provided, under what conditions, and the extent of the benefit. Examples are various forms of leave, insurance coverage, retirement programs, and educational benefits. (M M M M M M)

**22.2.2** *A written directive governs the agency's administrative leave program.*

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

(M M M M M M)

**22.2.3** *A written directive governs the agency's holiday leave program.*

**Commentary:** The directive should identify those days during the year that are established as holidays. (M M M M M M)

**22.2.4** *A written directive governs the agency's sick leave program.*

**Commentary:** Policies concerning the accrual and use of sick leave should be described. The rate of

accrual, limitations on accrual, if any, and methods of supervision and control in the use of sick leave should be included.

(M M M M M M)

**22.2.5** *A written directive governs the agency's vacation leave program.*

**Commentary:** Policies with regard to vacation (annual) leave should be described, including the rate of accrual, limitations, if any, on accrual, procedures for scheduling, and supervision and control. (M M M M M M)

**22.2.6** *A written directive describes the agency's retirement program.*

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

(M M M M M M)

**22.2.7** *A written directive describes the agency's health insurance program.*

**Commentary:** The health insurance plan should include services that the agency determines are most likely to be needed and that would be the most expensive for the employee to bear alone. The insurance plan should be reviewed regularly to ensure that coverage provisions are suitable in meeting the needs of the agency and its personnel. (M M M M M M)

**22.2.8** *A written directive describes the agency's disability and death benefits program.*

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

(M M M M M M)

**22.2.9** *A written directive describes the agency's liability protection program.*

**Commentary:** Specific conditions of the program should protect employees for actions or omissions directly related to their law enforcement function. The program should protect the employees from acts or omissions leading to personal injury, death, or property destruction and

that, in turn, could lead to legal civil action against the employee. (M M M M M M)

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

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

**22.2.11** *A written directive describes employee educational benefits, if any.*

**Commentary:** Educational benefits provided by the agency for its employees may include attendance at educational institutions, training academies, agency training courses, and other training programs. For agency-sponsored or -approved programs, training should be given during regular work hours, if possible. Other benefits to encourage employee training may include time off with pay for hours involved in educational or training programs; a subsidization of training costs, to include tuition costs and costs for texts and reference materials; education incentive pay; and educational leave. (M M M M M M)

**22.2.12** *A written directive governs the provision of personnel support services to employees.*

**Commentary:** Larger agencies may wish to consider establishing a separate employee services unit to facilitate the provision of support services to employees. Such services would include providing information on employee benefits and help for the officer and family in cases of injury or death. The directive should specify the functions of the unit or individual with this responsibility and establish the relationship of the unit or person to employees, to management, and to unions or bargaining agency representatives, as appropriate. (N/A N/A N/A M M M)

## **22.3 Conditions of Work**

**22.3.1** *A written directive governs the provision of physical examinations for sworn employees.*

**Commentary:** A periodic physical examination is a benefit to both the employee and the agency. The age of the employee and/or job assignment may determine the frequency of the examination. (M M M M M M)

**22.3.2** *Physical examinations required by the agency are provided at no cost to the employee.*

**Commentary:** The physical examination may be provided by a physician made available by the agency. In the event an employee selects a personal physician, the fee should be paid by the employee and the results subject to confirmation by an agency-selected physician. (M M M M M M)

**22.3.3** *A written directive specifies criteria for general health and physical fitness to be maintained by employees.*

**Commentary:** A satisfactory level of general health and physical fitness on the part of agency employees should be maintained so that work can be performed efficiently and without personnel shortages caused by excessive sick leave.

What constitutes a satisfactory health level is defined by criteria set forth in the directive and may be related to the age of the employee or the position occupied. One level might be specified for those in more or less sedentary positions and another level for those who perform more active work.

The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations, and fitness requirements should be specified. Criteria for fitness should be those that have been shown to be directly related to the work performed. (M M M M M M)

## **Glossary**

**TOPICAL AREA: COMPENSATION, BENEFITS, AND CONDITIONS OF WORK**

**COMPENSATION PROGRAM:** A description of the complete salary plan of the agency, including the basic salary levels for all classes of positions and all forms of compensation provided by the agency.

**SALARY AUGMENTATION:** Pay that is added to the base salary of the employee. Such augmentation may be considered as premium pay, merit pay, differential pay, or a temporary increase because of a temporary assignment to a position with higher base salary.

**SALARY SEPARATION:** A difference between salary of one rank and the next highest rank, or between that provided for one classification of work and any other.

## NOTES

# 23

## CAREER DEVELOPMENT AND HIGHER EDUCATION

Career development is a structured process that is utilized by an agency to provide opportunities for individual growth and development at all levels. It is designed to promote productive, efficient, and effective job performance and to improve the overall level of individual job satisfaction. More importantly, it is through career development activities that the upward mobility of all personnel may be enhanced by specific opportunities for professional growth and improved job performance.

The need for career development in law enforcement exists at all levels. The agency must be concerned with the mental and physical capabilities of its personnel, in particular the skills, knowledge, and abilities (SKA) necessary to function in an efficient and effective manner in assigned tasks. It is through a formalized plan that career development activities should be directed and that the agency can provide a system for identifying and fulfilling the needs of the individual and the agency.

Existing career development programs most often provide or suggest training that is beneficial for a few desired positions, largely in the upper level of management. Few programs focus on employees at other levels, due to either cost or the large number of persons within the agency.

The structure of an accredited career development program originates in the relationship of two components: career counseling and in-service training. Career counseling, involving the interaction of counselor and employee, offers guidance to assist an individual in choosing, preparing for, entering, or progressing in a job assignment. Career counseling identifies three elements: (1) the SKA of each individual relative to present and future job assignments; (2) in-service training requirements; and (3) the extent to which the training fulfills employee and agency expectations.

Traditionally, in-service training has ensured that an individual has a minimum level of proficiency in an assigned job—although such training has not been included as part of career development. The concept of in-service training presented within the framework of these standards embraces more than the traditional definition—i.e., it calls for providing an advanced level of instruction that enhances an employee's overall potential for upward mobility and/or job satisfaction. This concept of in-service training as a component of an accredited career development program has two aspects: proficiency and career specialty.

Proficiency in-service training both maintains and enhances the SKA needed to perform the duties and responsibilities of the assigned job. Career specialty in-service training stimulates personnel (1) to improve the SKA needed to perform job tasks required in specialized areas and (2) to compete for new areas of interest and specialization that may enhance their potential for upward mobility.

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

Officers already appointed should be given opportunity and incentives to pursue college education. To encourage the recruitment of college-educated officers, pay incentives should be given to officers who have achieved such education prior to initial employment in the agency.

## 23.1 Career Development Practices and Procedures

**23.1.1** *A written directive and plan establish a program of career development for all sworn personnel.*

**Commentary:** The career development program should foster the improvement of personal skills, knowledge, and abilities of all sworn personnel so that they can successfully perform agency tasks. The program should be voluntary and ensure all sworn employees equal access to training and development opportunities. The aim of career development is to highlight specific opportunities for individual growth at all levels and to improve overall job satisfaction and performance. The agency may utilize the career development program to further the employee's professional growth and capabilities in the present and/or future position within the agency. The principal components of the career development program are career counseling and in-service training. (O O M M M M)

**23.1.2** *The written career development program plan required by standard 23.1.1 includes:*

- objectives stated in quantitative terms; and
- a written assessment of Equal Employment Opportunity objectives and Affirmative Action objectives, if any.

**Commentary:** The objectives of the career development program plan should be stated in quantitative terms to facilitate program audits and evaluations. These objectives may specify the potential number of personnel to utilize career development services; number of personnel assigned to career development services; number of outside resources for career counseling; and the total number of training hours provided, including technical assistance. The written assessment of Equal Employment Opportunity and Affirmative Action objectives, if any, should be used to determine whether special training and development opportunities for minority persons and women are needed. The assessment should reveal the impact of present employment practices, policies, and procedures on the employment and utilization of minority persons and women. (O O M M M M)

**23.1.3** *The written career development program plan is evaluated annually and revised, if necessary.*

**Commentary:** The agency should conduct a continuous review of the career development program plan to provide employees and management with up-to-date information regarding organizational requirements for achieving program goals. The agency may document the revisions by initialing and dating the review or by submitting a letter of verification stating that revisions are not needed. A written evaluation of the career development program should be submitted to the agency's chief executive officer annually. (O O O O O O)

**23.1.4** *A written directive vests the authority and responsibility for administering the career development program in an identifiable position.*

**Commentary:** Although the written directive identifies a position responsible for administering the agency's career development program, a specific person may be designated as well. The position must have the authority to manage both the program's operation and direction. This includes program areas for which the agency may seek assistance from external institutions or public agencies (e.g., colleges and universities or law enforcement training academies). However, the authority and programmatic direction for basic activities of the career development program should be established by the agency, and the primary responsibilities of the program should remain with the program's manager.

(O O M M M M)

**23.1.5** *A written directive establishes training requirements for all personnel assigned by the agency to conduct career development activities.*

**Commentary:** Personnel, such as supervisors and counselors, who are assigned to conduct career development activities should undergo a period of orientation that will provide increased knowledge and skills in at least the following areas: (1) general counseling techniques; (2) techniques for assessing skills, knowledge, and abilities; (3) salary, benefits, and training opportunities of the agency; (4) educational opportunities and incen-

tive programs; (5) awareness of the cultural background of ethnic groups in the program; (6) recordkeeping techniques; (7) career development programs of other jurisdictions; and (8) availability of outside resources.

(O O O O M M)

## 23.2 Program Inventories

**23.2.1** *The agency maintains an annual inventory of the skills, knowledge, and abilities of each employee.*

**Commentary:** An updated inventory of the skills, knowledge, and abilities (SKA) of each employee is fundamental to career development planning. The inventory may be derived from a personal interview or questionnaire that is administered to each employee within the agency. This information may also be obtained from the initial job application. Based on the information received, an inventory of the SKA of each employee is then prepared. The inventory may contain information in the following areas: educational background, training courses completed, work experience (past and present), special skills, foreign languages, and a recent performance evaluation report. Along with job analysis data, the inventory may be used to determine the agency's training requirements. The agency should comply with applicable federal, state, and local privacy, security, and freedom of information requirements in maintaining these inventories.

(O O O O O O)

**23.2.2** *The agency maintains on file an inventory of career specialties, if any, which includes the skills, knowledge, and abilities needed for each specialty.*

**Commentary:** Career specialties are derived by the agency from job analysis and job classification information. More specifically, career specialties may be determined by (1) identifying the most important and frequently performed jobs and (2) identifying the jobs that require special training and knowledge for the performance of specific duties and responsibilities. Examples of career specialties may include: Patrol, Criminal Investigation, Crime Lab, Fingerprint Identification, and Traffic Investigation. By using the inventory provided by the agency, employees have an opportunity to examine career specialties available within the agency and to prepare themselves for such positions. A detailed review of job analysis and job classification information should be conducted prior to formulating the inventory of skills, knowledge, and abilities required to perform tasks within career specialties. The inven-

tory should identify the agency's needs and training requirements relative to each career specialty position within the agency.

(O O O O O O)

## 23.3 Career Counseling and In-service Training

**23.3.1** *A written directive establishes career counseling as a component of the career development program.*

**Commentary:** There are several tools, other than the personal interview, that may be utilized in career counseling; for example, an inventory of the skills, knowledge, and abilities (SKA) of the employee; an inventory of the SKA required by the agency; and an inventory of outside resources. These counseling tools may be used to determine individual needs in the program and to provide direction that will equate those needs to the needs of the agency. In order to provide adequate counseling services, personnel assigned to the task should be properly trained to perform the following activities: assessment of the SKA of employees; assessment of the SKA required by the agency; preparation of a career planning schedule; utilization of the resource inventory; administration of a performance evaluation; and the provision of feedback and recommendations to the employee.

(O O M M M M)

**23.3.2** *An evaluation checklist is utilized by the counselor/supervisor to assess the effectiveness of the career counseling process.*

**Commentary:** An evaluation checklist, utilized as a tool of career counseling, may determine whether the employee has reached an effective level of performance. Moreover, the tool may be used to assess the employee's strengths and weaknesses and to alert the counselor to particular areas on which the counseling process must focus. The checklist may contain the following: a timetable for performing key activities; self-analysis; and counselor rating criteria. (O O O O O O)

**23.3.3** *A written directive establishes proficiency in-service training as a component of the career development program.*

**Commentary:** Proficiency in-service training keeps the employee up to date on the duties and responsibilities of the job presently being performed, enhances the employee's skills beyond the minimum level, and increases the potential for upward mobility. Proficiency in-service training is an extension of career development in which

employees may be required to participate.  
(O O M M M M)

**23.3.4** *A written directive establishes career specialty in-service training as a component of the career development program.*

**Commentary:** Career specialty areas are designed to stimulate personnel to compete for new areas of interest and specialization and to enhance the overall potential of the employee for upward mobility. Although the vast majority of agency personnel may be generalists, the agency should identify or provide appropriate training opportunities for all positions classified as specialties. The nature and scope of such training should be determined by the skills, knowledge, and abilities required of each specialty. (O O O O O O)

**23.3.5** *A written directive requires career specialty in-service training in management techniques.*

**Commentary:** Management and supervisory training should be key elements in any career development program and major factors in enhancing an employee's overall potential for upward mobility. The supervision and management of an agency require specialized training in the expression and communication of objectives; planning; measuring results; decision making; and problem identification, prevention, and solution. Management training areas include, but are not limited to, management information systems, fiscal management, organizational behavior, and decision making. If budgetary problems preclude formal training in these areas, the agency should develop an in-house training network or participate in a regional training program.  
(O O O O O O)

**23.3.6** *The agency provides skill development to sworn personnel upon promotion.*

**Commentary:** As personnel are promoted, the skills necessary to perform at a given level may change to require supervisory, management, and administrative skills and knowledge. The agency should provide training prior to promotion or immediately following promotion.  
(M M M M M M)

**23.3.7** *The agency maintains on file written records of all proficiency and career specialty in-service training of personnel.*

**Commentary:** Maintaining written records of all proficiency and career specialty in-service training provides the agency with available information on the progress of each participant. In addition, the records provide the agency with a ready

source of information on such things as special assignments, reassignments, and advancements. The data recorded should include such items as the title of the course; training, instruction, or workshop completed; date of completion; grade point (if any); and achievement of any special skills or honors. (O O O O M M)

**23.3.8** *The agency maintains an annual inventory of resources used to develop in-service training for the career development program.*

**Commentary:** The agency should seek internal and external resources to assist in the administration of proficiency and career specialty in-service training of personnel. The inventory may provide a brief description of the training opportunities offered by the resources listed and other contact information (e.g., contact person, address, phone number). A copy of the inventory should be kept on file in the agency and made available to all program participants. The counselor, however, should be responsible for making the inventory available to all career development program participants. (O O O O O O)

**23.3.9** *A written directive requires that the employee and immediate supervisor/counselor conduct a joint annual review of the employee's in-service training record.*

**Commentary:** A joint review is conducted in order to assess the training progress of each employee in achieving career objectives. More importantly, the joint review is conducted to assess whether the proficiency and career specialty in-service training provided adequately assists the employee in achieving the skills, knowledge, and abilities required to perform present and future jobs within the agency.

In order to avoid conflicts that may arise from a counselor's duties as the employee's immediate supervisor, the employee's career counselor should be someone other than his or her immediate supervisor, if possible and if staffing allows. If the immediate supervisor/counselor is not the same person, then the supervisor, counselor, and employee should be present at the joint review.  
(O O O O M M)

**23.3.10** *A written directive establishes procedures for the use of temporary assignments and job rotation in the career development program.*

**Commentary:** Through temporary assignments and job rotation, the employee may be afforded an opportunity for individual growth as well as improved job satisfaction and performance. Temporary assignments and job rotation allow the employee to gain the experience necessary to

accomplish a particular task while performing the duties and responsibilities of that task.  
(N/A O O O O O)

**23.3.11** *A written directive establishes procedures for the use of educational leave, if any, in the career development program.*

**Commentary:** Educational leave is established when absence from duty or employment is granted to an employee to undertake academic or vocational instruction as a part of in-service training. Educational leave may be authorized for attending outside workshops, seminars, state training academies, or formal educational programs (such as a junior college, college, or university). The agency may support the employee who pursues an educational opportunity by providing salary adjustments, flexible work schedules, or financial aid. There are several forms of financial assistance that may be offered by the agency: reimbursement of monies spent in pursuit of college-level course work and granting leave with or without pay for credit or noncredit course work or training that is job related. The directive should outline procedures for obtaining educational leave.  
(O O O O O O)

**23.3.12** *A written directive governs the agency's tuition reimbursement program for academic achievement, if such a program exists.*

**Commentary:** This standard also includes those programs for which tuition is paid in advance. The reimbursement may be in full or a percentage based on grades. Criteria for participation in the program should be included in the written directive and may limit the participants to a specific area of study. (O O O O O O)

**23.3.13** *A written directive governs the agency's program for shift preference to enhance academic study, if such a program exists.*

**Commentary:** Where exceptions are made to the regular shift-change schedule to facilitate academic study, criteria should be established to minimize controversy. These programs are frequently perceived as preferential to certain individuals and should be administered equitably.  
(O O O O O O)

## 23.4 Higher Education

**23.4.1** *The agency has an educational incentive pay program for sworn officers, based on the number of academic years completed at an accredited college or university.*

**Commentary:** The intent of this standard is to encourage in-service and preservice college education. Incentive pay should be awarded for college education completed prior to appointment as well as for education achieved while employed. It is suggested that incentive pay be based on blocks of no less than one academic year (30 credit hours). The National Advisory Commission on Criminal Justice Standards and Goals recommends a minimum of 2.5 percent of current salary for every 30 credit hours completed.  
(O O O O O O)

**23.4.2** *The agency has a written educational development plan to include, at a minimum, the following:*

- *a statement to the effect that it is the policy of the agency to encourage sworn personnel to achieve a minimum of a bachelor's degree from an accredited college or university; and*
- *an anticipated date for adoption of an educational incentive pay program as specified in standard 23.4.1.*

**Commentary:** In addition to the policy statement encouraging college education, it is suggested that the plan include provisions for shift preference to facilitate attending classes, tuition reimbursement, and educational leave. (Refer to standards 23.3.11, 23.3.12, and 23.3.13.) An "anticipated date" should specify the year anticipated for the adoption of the requirement.  
(O O O O O O)

**23.4.3** *A written directive issued by the agency's government establishes an anticipated date by which any new law enforcement chief executive officer appointed thereafter must have a bachelor's degree from an accredited college or university.*

**Commentary:** The directive may be in the form of a merit system or civil service job specification or position classification statement. This standard should not be interpreted as requiring an incumbent chief without a degree to obtain the education if the chief was appointed prior to the adoption of the standard. Also, the standard does not apply to chief law enforcement executives who are elected to office, such as sheriffs.  
(O O O O O O)

## Glossary

TOPICAL AREA: CAREER DEVELOPMENT AND HIGHER EDUCATION

ACCOUNTABILITY: The state of being held responsible by higher authority for specified job-related results.

**AFFIRMATIVE ACTION PLAN:** A written plan for recruiting, hiring, training, and promoting minorities and women.

**CAREER COUNSELING:** The relationship (process) between trained counselor and employee that is designed to facilitate an employee's career choices; understanding of career goals; and achievement of career goals through meaningful, well-informed choices.

**CAREER DEVELOPMENT ACTIVITIES:** An organized and supervised set of duties or functions designed to stimulate learning (e.g., counseling, training, job rotations).

**CAREER DEVELOPMENT IN-SERVICE TRAINING:** A training process used to provide an advanced level of instruction that enhances an employee's overall potential for upward mobility and/or job satisfaction.

**CAREER SPECIALTY:** An area of interest or specialization that enhances the upward mobility and/or job satisfaction of an employee.

**CRISIS INTERVENTION:** Training that is designed to modify or enhance performance in specific crisis situations, such as family conflicts, spousal abuse, disturbances, rape, and homicides.

**EVALUATION CHECKLIST:** A tool used in evaluating the effectiveness of the career counseling process. Indicated on the checklist are the criteria that determine whether the employee has reached an effective performance level in the area of career development.

**FORMAL APPLICATION:** A written form used to express interest in employment and to request information on a person's basic occupational qualifications, work experience, educational background, training, and special skills or abilities.

**IN-SERVICE TRAINING:** Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and roll-call training.

**INVENTORY:** An itemized list of skills, knowledge, and abilities used to evaluate personal characteristics.

**JOB ANALYSIS:** A systematic examination of the functions and objectives of each job to be performed as it relates to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

**JOB CLASSIFICATION:** A detailed written statement that (1) identifies the characteristics of various positions (jobs) by assigning job titles and job specifications, (2) arranges positions according to a logical plan that groups those with common characteristics, and (3) establishes minimum qualifications and equitable salaries for each group.

**JOB RELATED:** A procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

**JOB TASK:** A description of what an employee does, for what purpose, on instructions from whom, when and where, and with what materials and equipment.

**MAINTAIN ON FILE:** On hand; catalogued or recorded in an official written record (including microfilm, microfiche, or computer printout) that is available for visual inspection in the agency.

**MEASURABLE OBJECTIVES:** A one-sentence statement of specific results that can be directly measured or determined; results that determine not only the direction of change that may occur but also the degree or amount of that change.

**PROFICIENCY:** The additional skills, knowledge, and abilities that are needed to remain competent in performing the duties and responsibilities of a job.

**SKILLS, KNOWLEDGE, AND ABILITIES (SKA):** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**STRESS MANAGEMENT:** The ability to cope with the impact of various types of situations.

**TEMPORARY ASSIGNMENTS:** Job tasks that are assigned for a limited time.

# 24

## COLLECTIVE BARGAINING

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

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

### 24.1 Administration

**24.1.1** *A written directive describes the role of the agency in the collective bargaining process.*

**Commentary:** The relationship of agency personnel with other members of the bargaining team should be clearly defined. The directive should clearly establish the agency's role when its members comprise the entire bargaining team as well as when they will be working with individuals from outside the agency.

(M M M M M M)

**24.1.2** *A written directive establishes the collective bargaining team with one member as the principal negotiator.*

**Commentary:** The bargaining team will not necessarily be made up of agency members only. It may comprise members of the agency, other personnel within the government, or other outside negotiating representatives.

The most essential requirement for establishing a workable structure for negotiations is that a principal be named and delegated sufficient authority to bargain effectively. This means that one person is designated as the principal agency negotiator and is given specified duties.

The complete organization of the bargaining team should be clearly explained in the written directive, including a description of the membership.

(M M M M M M)

**24.1.3** *A written directive specifies the bargaining unit or units, representing any given group of employees, with which the agency will negotiate.*

**Commentary:** The agency should require specification of the bargaining unit prior to entering into negotiations. This precludes more than one labor organization representing a single employee group. However, there may be more than one labor organization representing agency personnel (e.g., patrol, commanders, or civilian employees) that may be bargained with separately.

(M M M M M M)

**24.1.4** *A written directive authorizes development of impasse-resolving procedures, through negotiations, at the outset of collective bargaining.*

**Commentary:** As part of the negotiation ground rules, impasse-resolving procedures should be addressed and established. This should take place prior to the negotiation of any substantive matter. (M M M M M M)

### 24.2 Procedures

**24.2.1** *The ground rules for the bargaining teams are decided in advance of the process for negotiation of wages, hours, and terms and conditions of employment.*

**Commentary:** The purpose of the standard is to emphasize the importance of establishing ground

rules prior to the initiation of negotiations on substantive issues. The ground rules should establish (1) the size and composition of bargaining teams; (2) the compensation of agency employees serving as official members of the bargaining teams during the bargaining process; (3) the time schedules and agendas for meetings; (4) the procedures governing release of information to third parties (including the media) during the bargaining process; (5) the method of recording the deliberations, if any; (6) the methods for introducing issues; and (7) the methods for resolving conflict. (M M M M M M)

**24.2.2** *The agency participates in negotiations based on the principle of "good faith" bargaining.*

**Commentary:** The principle of "good faith" bargaining is based on the Taft-Hartley Act. The purpose is to ensure that oral agreements made during negotiations are reflected in written contractual language and carried out in future management-labor relations. (M M M M M M)

**24.2.3** *The agency has a written record of the agreements resulting from collective bargaining.*

**Commentary:** The written record is usually in the form of a contract or agreement signed by both parties. (M M M M M M)

## **24.3 Contract Management**

**24.3.1** *The agreement resulting from collective bargaining is disseminated to all affected personnel.*

**Commentary:** The most effective method of ensuring complete dissemination is to issue each employee a copy of the agreement. Alternative methods include posting the agreement, providing limited distribution or accessibility in key locations, and disseminating the terms of the agreement through the personnel and training functions. (M M M M M M)

**24.3.2** *The agency reviews and amends those administrative directives necessary to ensure compliance with the agreement.*

**Commentary:** The review should be accomplished as quickly as possible following negotiation. However, a reasonable period of time should be provided to accomplish the review and amendment. (M M M M M M)

**24.3.3** *The agency's chief executive officer informs all supervisory and management personnel of the terms of the agreement affecting personnel under their supervision.*

**Commentary:** There are several methods to be used individually or in combination to achieve this objective, including (1) distribution of agreements; (2) training; and (3) holding staff meetings. This process should include an expression of the agency's philosophy of ensuring that the terms of the agreement are met in spirit as well as through technical compliance. (O M M M M M)

# 25

## GRIEVANCE PROCEDURES

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

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

### 25.1 Grievance Procedures

**25.1.1** A written directive establishes a grievance procedure, to include:

- identifying matters that are grievable (scope);
- establishing time limitations for filing or presenting the grievance;
- establishing procedural steps and time limitations at each step in the grievance procedure; and
- establishing criteria for employee representation.

**Commentary:** Since a formal grievance procedure is designed to resolve differences between the employee and employer, it follows logically that such procedures be written in clear, concise terms. If grievance procedures are part of a collective bargaining agreement, such agreement would meet the definition of "written directive" as used in this standard.

(M M M M M M)

**25.1.2** A written directive establishes the agency component responsible for coordination of grievance procedures.

**Commentary:** The organizational entity or person responsible for other personnel functions may manage the grievance process.

(M M M M M M)

**25.1.3** A written directive requires that the following information be included in a grievance:

- a written statement of the grievance and the facts upon which it is based;

- a written allegation of the specific wrongful act and harm done; and
- a written statement of the remedy or adjustment sought.

**Commentary:** The three principal elements of a grievance may be included in one written statement. A form may be designed for this purpose to include spaces for noting significant times, dates, and actions taken relative to the grievance.  
(M M M M M M)

**25.1.4** A written directive establishes procedures to be followed in responding to grievances, to include:

- acknowledging receipt by noting time, date, and person receiving the grievance;
- analyzing the facts or allegations;
- affirming or denying, in writing, the allegations in the grievance; and
- identifying the remedy or adjustments, if any, to be made.

**Commentary:** The grievance procedure should be a formal effort, and documentation should provide valuable information, through review and analysis, for correcting deficiencies in the agency.  
(M M M M M M)

**25.1.5** A written directive specifies procedures to be used in appealing decisions made in the grievance process.

**Commentary:** The appeal procedure should basically follow the chain of command. In the event resolution is not reached at the lowest appropriate level, the system of appeals should identify the final authority. (M M M M M M)

**25.1.6** *If the agency has a grievance board, a written directive specifies its composition, functions, and criteria for the appointment of its members.*

**Commentary:** The written directive should specify the board's composition and the method of selecting board members. The functions of the board should also be specified. Such boards can screen and/or hear grievances, consolidate and coordinate grievances, and prepare recommendations to the appropriate component, position, or person. (M M M M M M)

**25.1.7** *A written directive establishes procedures for the maintenance and control of grievance records.*

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

**25.1.8** *A written directive requires an annual analysis of grievances.*

**Commentary:** The grievance procedure is a valuable method for management to discover agency problems. If through analysis the agency's chief executive officer observes a trend in filed grievances, steps may be taken to minimize the causes of such grievances in the future. (M M M M M M)

# 26

## DISCIPLINARY PROCEDURES

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

Standards in this chapter reflect a "systems" approach to discipline. However, many of the standards bearing on a disciplinary system are included in other chapters relating to selection, training, and direction. Therefore, this chapter focuses on the accountability component of a disciplinary system.

### 26.1 Disciplinary Procedures

**26.1.1** *A written directive specifies a code of conduct and appearance for agency personnel.*

**Commentary:** This directive should include (1) compliance with agency directives; (2) unbecoming conduct; (3) use of alcohol and drugs; (4) acceptance of gratuities, bribes, or rewards; (5) abuse of authority; (6) use of force; and (7) proper care and maintenance of equipment. The directive should also specify the conduct expected of employees. Prohibitions should be specific, whereas approved behavior may be stated in general terms (e.g., courtesy, punctuality). Directives about grooming and uniform appearance also should be specific. The code of conduct may be in the form of rules and regulations.

(M M M M M M)

**26.1.2** *The agency provides each employee a copy of the code of conduct and appearance.*

**Commentary:** In addition to providing a copy of the code of conduct and appearance to each employee, the agency should include the topic in all levels of training and ensure that it is repeated at intervals to emphasize its importance.

(M M M M M M)

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

- *procedures and criteria for rewarding employees, including letters of commendation, compensation, awards for merit or valor;*
- *procedures and criteria for using training as a function of discipline;*

- *procedures and criteria for using counseling as a function of discipline; and*
- *procedures and criteria for taking punitive actions in the interest of discipline, including oral reprimands, written reprimands, reduction of leave, suspension, demotion, and dismissal.*

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

The written directive should enhance consistency in rewarding employees. Compensation may include additional time off with pay as well as a monetary supplement. Agencies that present awards for meritorious and heroic acts should ensure that criteria are established as prerequisites for these awards.

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

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

each alternative should be geared to the actions of the officer. This does not imply a required sequence of punitive acts. Some agencies specify a range of punishments for various violations or specific punishments in explicit situations; where these are established, employees should be so informed. (M M M M M M)

**26.1.4** A written directive specifies the role of supervisors in the disciplinary process.

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

(M M M M M M)

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

**Commentary:** The directive should identify the conditions under which a supervisor may act without approval from higher authority. For example, a sergeant should have the authority to suspend immediately officers who report to work intoxicated or otherwise unfit for service.

(M M M M M M)

**26.1.6** If an investigation of officer misconduct results in dismissal, a written directive requires that the following information be provided to the officer:

- a statement citing the reason for dismissal;
- the effective date of the dismissal;
- a statement of the status of fringe and retirement benefits after dismissal; and
- a statement as to the content of the officer's employment record relating to the dismissal.

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

**26.1.7** A written directive governs the "conclusion of fact" for each allegation of misconduct and covers the following:

- proper conduct
- improper conduct
- policy failure
- insufficient evidence
- unfounded complaint

**Commentary:** The conclusion of the disciplinary process should be structured and should provide information to all participants in the process. The agency needs to be aware of changes in policies, procedures, rules, and regulations that may prevent future allegations of misconduct, as well as the need to modify or expand training.

(O O O O O O)

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

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

(M M M M M M)

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

**Commentary:** The directive should include initiation procedures, time frames, method of recording, and scope of the appeal process.

(M M M M M M)

## Glossary

### TOPICAL AREA: DISCIPLINARY PROCEDURES

**IMPROPER CONDUCT:** The allegation is true; the action of the agency or the officer was inconsistent with agency policy.

**INSUFFICIENT EVIDENCE:** There is insufficient proof to confirm or to refute the allegation.

**POLICY FAILURE:** The allegation is true; the action of the agency or the officer was not inconsistent with agency policy.

**PROPER CONDUCT:** The allegation is true; the action of the agency or the officer was consistent with agency policy.

**UNFOUNDED COMPLAINT:** Either the allegation is demonstrably false or there is no credible evidence to support it.

# 31

## RECRUITMENT

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

The standards on recruitment provide a framework for both the technical and philosophical details of an efficient and effective law enforcement recruitment function. Below is a summary of the basic thrust of the recruitment standards.

A written directive should initiate the formal recruitment process. Administrative control for the process should be vested in one, identifiable position. All agency personnel, and especially minorities and women, should be involved in the recruitment process based on a written recruitment plan that has specific goals and measurable objectives that are evaluated annually. Law enforcement agencies should have a ratio of minority employees about equal to the proportion of such groups within the service area. In the absence of such a ratio, the agency must prepare an Affirmative Action Plan for Equal Employment Opportunity, provide its employees with written information on Equal Employment Opportunity requirements, and advertise as an Equal Opportunity Employer.

Recruitment activities will be enhanced by cooperative arrangements with a personnel agency, if any, and written recruitment agreements with law enforcement agencies, community organizations, and key leaders. Recruiters, armed with literature depicting minorities and women in meaningful law enforcement roles, should be sent to educational institutions and community service organizations.

Any effective and fair recruitment process is dependent upon many technical application requirements, including vacancy announcements that are accurate and based on complete job task analyses and the availability of decentralized locations for the application and testing process. The initial application form should request only that information necessary to initiate the recruitment process and should not be rejected solely because of correctable omissions and errors or an applicant's failure to be a resident of the law enforcement service area. An official filing deadline should be established and vacancies advertised through the mass media at least ten days prior to the established deadline. Some form of contact should be maintained with applicants throughout the recruitment, application, and selection process. Finally, an extension of recruitment is to be found in a written directive establishing a law enforcement student intern program.

Several important assumptions and caveats underlie these recruitment standards. First, the standards are generally applicable only to those agencies with ongoing or active recruitment efforts, activities that normally take place when actual vacancies exist or when potential vacancies are forecasted. However, two of the standards are operative for all agencies regardless of whether there are job vacancies: standard 31.5.1 establishing an Affirmative Action Plan if the ratio of minority group employees is lower than the ratio of minorities in the service community and standard 31.5.3 requiring an Equal Employment Opportunity Plan. Standard 31.5.1, while not requiring an agency to initiate recruitment, mandates the preparation of an Affirmative Action Plan that includes a

series of specific elements and that is to be used when job vacancies occur or are projected to occur. The Affirmative Action Plan may well include the agency's plan for increasing its overall personnel strength, creating new positions within the agency, and reorganizing budget priorities.

A second assumption of the standards is that, unless stated otherwise, they apply only to sworn personnel. Similarly, unless specifically stated to the contrary, all standards are applicable to the recruitment of entry-level personnel only.

Third, it is understood that some agencies are required to handle their personnel through a state or local civil service merit system and are, therefore, linked to that system in the recruitment of law enforcement personnel. Obviously, every agency is obligated to comply with all applicable statutes and policy directives. This may result in the agency's being unable to comply with certain of these standards. Statutory changes and new policy directives are clearly out of the hands of the agency itself. However, the agency is required to show that the civil service agency upon which it depends is in compliance with applicable standards.

### 31.1 Administrative Practices and Procedures

**31.1.1** *A written directive establishes a recruitment program to attract applicants for actual or forecasted agency vacancies.*

**Commentary:** When there are actual or forecasted vacancies, the agency should initiate and maintain an active recruitment campaign in order to compete with other employers for qualified applicants. (M M M M M M)

**31.1.2** *The agency actively performs or participates in the implementation of its recruitment program.*

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

**31.1.3** *A written directive vests the authority and responsibility for administering the agency's role in the recruitment program in an identifiable position.*

**Commentary:** The position identified within the agency must have authority to manage the agency's role in the operation and direction of recruitment activities. A specific individual may be identified in addition to the position itself. (M M M M M M)

**31.1.4** *Individuals assigned to recruitment activities are knowledgeable in personnel matters, especially Equal Employment Opportunity/Affirmative Action as it affects the management and operations of the agency.*

**Commentary:** Prior to initiating recruitment activities, recruiters should undergo a training

program that provides knowledge and skills in the following areas: (1) the agency's recruitment needs and commitments, (2) agency career opportunities, salaries, benefits, and training, (3) federal and state compliance guidelines, (4) the community and its needs (including demographic data, community organizations, educational institutions, etc.), (5) cultural awareness, or an understanding of different ethnic groups and subcultures, (6) techniques of informal recordkeeping systems for candidate tracking, (7) the selection process utilized by the central personnel operation or agency (including procedures involved in conducting background investigations and written, oral, or physical agility examinations), (8) recruitment programs of other jurisdictions, (9) characteristics that disqualify candidates, and (10) medical requirements. (M M M M M M)

**31.1.5** *The agency involves all personnel in recruitment activities.*

**Commentary:** An effective technique of recruitment is to involve all agency personnel and provide incentives for their participation. The benefits of such a program are twofold: (1) more personnel become involved in the recruiting than could be assigned specifically to such duties by the agency and (2) because of their professional interest, officers generally recruit qualified candidates. Moreover, all employees should be provided with the Equal Employment Opportunity policies of the agency. (M M M M M M)

**31.1.6** *Whenever possible, minority personnel, fluent in the community's languages and aware of*

*the cultural environment, are actively included in recruitment activities.*

**Commentary:** Placing minority personnel and women, especially those of supervisory ranks, in recruitment roles can (1) demonstrate the agency's commitment to the minority community, (2) demonstrate promotability by virtue of their rank, (3) enhance the receptivity of the minority community to the recruiter, and (4) increase the potential for recruiting minority personnel. The effectiveness of recruitment in service areas populated by ethnic minority groups will also be enhanced by the availability of multilingual recruitment literature in those areas.  
(O O O M M M)

### 31.2 Cooperative Agreements

**31.2.1** *The agency seeks cooperative agreements with a personnel agency, if any, at the appropriate level of state, county, and/or local government to aid in the recruitment of applicants.*

**Commentary:** Other personnel agencies are often helpful in the recruitment of qualified applicants. Such agencies through the years develop a high degree of expertise in attracting personnel for other government agencies and units.  
(O O O O O M)

**31.2.2** *The agency has established cooperative personnel recruitment agreements, evidenced in writing, with other law enforcement agencies.*

**Commentary:** The advantage of a cooperative personnel recruitment agreement is twofold: (1) the participating agency's likelihood of success is actually multiplied by the number of agencies involved in the agreement and (2) an applicant's likelihood of exposure and success, by virtue of applying to any one of the participating agencies, is also multiplied by the number of agencies involved. Cooperative personnel systems could facilitate the general exchange of experienced personnel between or among agencies.  
(O O O O O O)

### 31.3 Community Outreach

**31.3.1** *The agency seeks recruitment assistance, referrals, and advice from community organizations and key leaders.*

**Commentary:** Cooperative assistance from community organizations and key leaders should increase and broaden the agency's exposure within the service community. (M M M M M M)

**31.3.2** *The agency posts job announcements with community service organizations.*

**Commentary:** The agency should seek permission to post job announcements with community organizations that are in contact with individuals who are likely candidates for recruitment. The agency should seek to achieve broader dissemination and greater exposure of recruitment information. (M M M M M M)

**31.3.3** *For entry-level law enforcement officer positions, the agency sends recruiters to educational institutions and community organizations to recruit on site within the community service area.*

**Commentary:** Recruiting among the youth is extremely important. So often, youth fail to get the necessary exposure and reinforcement that lead individuals into certain career paths, simply because they are unaware of the opportunities available to them. "Career Days" on high school, college, and university campuses offer excellent opportunities for setting up displays, passing out recruitment material, and speaking to interested students. Agency recruiters should acquaint college and university career counselors with the benefits and challenges of a law enforcement career. Applications and position advertisements should be made available to career counselors in a timely manner. (O O O O O O)

**31.3.4** *A written directive establishes a law enforcement student intern program.*

**Commentary:** Agencies should nurture student interest in the law enforcement field by providing them with firsthand experience in law enforcement. Student intern programs serve the dual purpose of maintaining the student's interest in law enforcement after high school graduation and while attending college.  
(N/A N/A O O O O)

### 31.4 Comprehensive Recruitment Plan

**31.4.1** *The agency has a written recruitment plan that includes the following elements:*

- objectives stated in quantitative terms;
- a statement of the agency's authorized, budgeted, and actual strength;
- key activity timetables;
- an itemized recruitment budget;
- a written statement of support from the law enforcement agency's chief executive officer; and
- procedures for seeking assistance from community organizations and key leaders.

**Commentary:** A written recruitment plan enables the agency to conduct an organized and effective search for well-qualified applicants by relating job requirements to recruiting methods. A comprehensive plan will set forth measurable recruitment objectives, including actual and forecasted vacancies, as well as the strategies and procedures designed to accomplish those objectives. A timetable of key recruitment activities, an itemized recruitment budget, and procedures for obtaining the assistance of community organizations and leaders should be included as separate items. (N/A O O M M M)

**31.4.2** *The agency prepares a written recruitment evaluation report annually containing the following elements:*

- *measurement of recruitment activities against quantitative objectives;*
- *analysis of the effectiveness or ineffectiveness of recruitment; and*
- *recommendations for improvement.*

**Commentary:** Program evaluation is a necessary factor in improving programs. To encourage a valid and useful appraisal method, the agency should allow ample opportunity for appropriate parties to participate in the process. Moreover, to determine the effectiveness of the program, accurate recordkeeping and continuous program evaluations should be conducted to ensure that the performance reported meets program objectives. The agency should analyze the impact of the agency's employment policies, practices, and procedures on the employment and utilization of minorities and women as required in the Equal Employment Opportunity Plan (see standard 31.5.3). If the agency has an Affirmative Action Plan (see standards 31.5.1 and 31.5.2), it should be able to document its implementation as part of the evaluation report. (N/A O O M M M)

**31.4.3** *A written recruitment progress report is submitted to the agency's chief executive officer at least quarterly.*

**Commentary:** Regularly scheduled progress reports should document all recruiting activities in the reporting period. Particular attention should be given to key activities and other indicators of program progress. (N/A N/A O O M M)

**31.4.4** *Written job task analyses support the recruitment strategies and procedures.*

**Commentary:** To ensure job relevancy, the agency's recruitment strategies and procedures should be based on a detailed, written analysis of the

nature of the job to be performed; the knowledge, skills, and training required to perform the job tasks; and any prerequisite personal attributes. The job task analyses may be carried out by persons other than law enforcement agency employees.

(M M M M M M)

## **31.5 Affirmative Action and Equal Employment Opportunity**

**31.5.1** *The agency has a ratio of minority group employees in approximate proportion to the makeup of the agency's law enforcement service community, or an Affirmative Action Plan pursuant to standard 31.5.2.*

**Commentary:** Affirmative Action requires aggressive recruitment of women and minority group members who are significantly underrepresented in the agency. Preferential recruitment should then be directed toward approximating (within the sworn ranks) the minority composition of the community. If the available minority work force underrepresents the makeup of the minority service community, the agency should recruit outside its service area to attract a minority work force equal to the makeup of that community. (M M M M M M)

**31.5.2** *The Affirmative Action Plan, if any, includes the following elements:*

- *statement of measurable objectives;*
- *key activity timetables;*
- *plan of action to correct any inequities;*
- *an evaluation plan; and*
- *an itemized budget.*

**Commentary:** The Affirmative Action Plan should be written so that it can be easily understood and followed. The foundation of a successful recruitment drive should include strong management commitments, an analysis of demographic/geographic features of the agency's service area, and specific knowledge of past efforts to attract minorities by similar agencies.

(M M M M M M)

**31.5.3** *The agency has an Equal Employment Opportunity Plan.*

**Commentary:** The Equal Employment Opportunity Plan should ensure equal opportunities for employment and employment conditions for minority persons and women. The Equal Employment Opportunity Plan should be based on an annual analysis of the agency's present employment policies, practices, and procedures

relevant to their effective impact on the employment and utilization of minorities and women.  
(M M M M M M)

### 31.6 Job Announcements and Publicity

**31.6.1** *The agency's job announcements provide a description of the duties, responsibilities, and requisite skills, educational level, and physical requirements for the positions to be filled.*

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

**31.6.2** *A written directive requires that job vacancies are publicized at least ten working days prior to any official application filing deadline.*

**Commentary:** Recruiters should use all available time up to the official filing deadline to encourage potential applicants to apply. Potential applicants should be given enough time to learn of the agency's vacancies, analyze career opportunities, decide to apply, and follow through.  
(O O M M M M)

**31.6.3** *Entry-level job vacancies are advertised through the mass media.*

**Commentary:** The agency should use the most economical means of providing information on employment opportunities to potential applicants. Advertisements should be placed with minority media, where appropriate and available. This information should be provided sufficiently in advance to allow a reasonable time for the responses of those interested. The agency should supply the media with special stories and articles publicizing the agency's interest in attracting applicants. (O O M M M M)

**31.6.4** *The agency advertises as an Equal Opportunity Employer on all employment applications and recruitment advertisements.*

**Commentary:** To facilitate the successful recruitment of minorities and women, law enforcement agencies should clearly state on all public and internal personnel documents that the agency is

an Equal Opportunity Employer.  
(M M M M M M)

**31.6.5** *The agency's recruitment literature, if any, depicts women and minorities in law enforcement employment roles.*

**Commentary:** The agency should seek to enhance its credibility and sincerity among members of protected classes or disadvantaged groups by way of example. (M M M M M M)

### 31.7 Application Process

**31.7.1** *If the agency uses a preapplication contact card, the card should request only the following information: applicant name, home and business address, home and business phone, date of birth, and position desired.*

**Commentary:** The Preapplication Contact Card (or Form) should be considered simply as an expression of interest and as an aid to recruiters. A detailed application should be completed by the applicant during the first stages of screening and testing. (M M M M M M)

**31.7.2** *An official application filing deadline, if any, is boldly indicated on employment announcements and recruitment advertisements.*

**Commentary:** The importance of submitting the employment application prior to the filing deadline should be emphasized to potential applicants. The filing deadline should be well publicized through the mass media.  
(M M M M M M)

**31.7.3** *The agency provides application and testing processes at decentralized locations.*

**Commentary:** In order to attract minorities, women, and persons with special skills, the agency should take the application process to the potential employee. Mobile recruitment vans would satisfy the intent of this standard.  
(N/A N/A N/A N/A O M)

**31.7.4** *The agency maintains contact with applicants from initial application to final employment disposition.*

**Commentary:** Agency recruiters should acknowledge receipt of all employment applications within five working days of their submission. Applicants should be periodically informed of the status of their applications. Applicant contacts should be documented and logged.  
(O O M M M M)

**31.7.5** *The agency has a plan to recruit outside its jurisdiction, if necessary, to meet the goals of Chapter 31.*

**Commentary:** It is of particular importance that law enforcement agencies recruit outside their jurisdiction to attract the necessary available work force. Restricting recruitment within the agency's service area may limit the potential number of qualified applicants. (O O O O O O)

**31.7.6** *Applications are not rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process.*

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

## Glossary

### TOPICAL AREA: RECRUITMENT

**ACTUAL STRENGTH:** The total number of persons currently employed in an agency.

**ADVERTISEMENT:** The direct or indirect contact between an agency and the general public by way of printed publications or broadcast announcements.

**AFFIRMATIVE ACTION PLAN:** A written plan for recruiting, hiring, training, and promoting minorities and women.

**AUTHORIZED STRENGTH:** The number of personnel legally or officially sanctioned by the agency's government.

**AVAILABLE WORK FORCE:** The largest potential group or number of individuals eligible, qualified, and capable of assuming specific activities and responsibilities.

**BUDGETED STRENGTH:** The number of personnel for whom funds have been authorized for a given period.

This number can, but does not necessarily have to, coincide with authorized strength.

**COMMUNITY'S LANGUAGES:** Languages used by ethnic or racial groups living within the agency's service area.

**COOPERATIVE PERSONNEL RECRUITMENT AGREEMENT:** An agreement covering the mutual exchange of information or experienced personnel between two or more agencies that are seeking qualified applicants for jobs.

**CULTURAL ENVIRONMENT:** The customary beliefs, social forms, and material traits that influence the life of an individual or community.

**DECENTRALIZED LOCATION:** An extension of a central location to designated sites in outlying areas.

**EQUAL EMPLOYMENT OPPORTUNITY:** The provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, sex, religion, national origin, or physical impairment.

**JOB TASK ANALYSIS:** A systematic examination of the functions and objectives of each job to be performed as it relates to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

**MASS MEDIA:** Printed/electronic means of communication designed to reach the general public.

**QUANTITATIVE OBJECTIVE:** A specific result that can be directly measured or determined.

**QUANTITATIVE TERMS:** Expressions of, or relating to, determined or measured amounts.

**RATIO:** The relationship in quantity, amount, or size between two elements; an indicator of the relative sizes of quantities compared.

**RECRUITMENT ACTIVITIES:** A systematic method of seeking potentially qualified job applicants.

**RECRUITMENT LITERATURE:** A body of writing relating to methods of seeking qualified applicants for jobs.

**SERVICE COMMUNITY:** Those persons living within the agency's jurisdiction.

# 32

## SELECTION

The selection process is generally acknowledged as a key activity in determining the operational effectiveness of a law enforcement agency. All jurisdictions necessarily differ in a variety of unique and important ways regarding personnel selection. Nevertheless, basic principles exist for the development of an efficient, effective, and fair selection process that results in the appointment of those individuals who best possess the skills, knowledge, and abilities (SKA) necessary for an effective, respected law enforcement agency.

The linked concepts of the validity (job relatedness), utility (usefulness), and minimum adverse impact (fairness) of the total selection process and its individual components not only are fundamental management principles of an effective and efficient personnel selection system but also have been incorporated into law through the courts and the regulatory process. The use of any selection procedure, test, or requirement is subject to statistical analysis and documentation and must satisfy professional and legal requirements for validity, utility, and minimum adverse impact.

Validity, utility, and minimum adverse impact are to be evaluated first for the selection process as a whole, i.e., the combined effect of all selection procedures and components leading to the final employment decision. If the overall selection process fulfills all legal and professional requirements, then there is generally no obligation to evaluate individual selection procedures and components. However, personnel selection has been acutely affected in recent years by court decisions and regulatory requirements that virtually mandate an assessment of individual procedures and components even in the absence of deficiencies in the selection process as a whole. This occurs most frequently where there has been a demonstrable pattern of prior discriminatory employment practices or where the weight of court decisions and administrative interpretations has been that a specific selection procedure or component is not job related in similar circumstances.

The standards in this chapter provide a framework for both the technical and philosophical details of an efficient, effective, and fair law enforcement selection function. Below is a summary of the basic thrust of the selection standards.

A comprehensive written selection manual (reviewed and revised annually) is prepared that reflects the many professional and legal requirements of an accredited selection process. The manual will include detailed information about the purpose, development, validity, utility, fairness, standardized administration, scoring, and interpretation of all procedures and components used in the selection process. In particular, if written tests are used, they must meet the professional and legal requirements of validity, utility, and minimum adverse impact. Among the most important components of the selection process is a written job description that includes each position's duties, responsibilities, and tasks; their relative importance; the frequency with which they are performed; and the minimum level of proficiency necessary to perform each task.

A job-related, useful, and nondiscriminatory selection process is dependent upon a number of professionally and legally accepted administrative practices and procedures, which include informing candidates of all parts of the selection process at the time of formal application; a written directive establishing selection criteria for positions for which lateral entry is permitted; written procedures governing the reapplication, retest-

ing, and reevaluation of unsuccessful candidates; and timely notification of candidates of status at all critical points in the process. These procedures and practices significantly contribute to a more efficient, effective, and fair selection process.

A documented background investigation of eligible candidates, conducted by trained personnel, is generally recognized as one of the most useful and relevant components of the selection process. Such an investigation should include the verification of a candidate's qualifying credentials, a criminal record check, and the verification of at least three personal references. If used, a polygraph or voice stress examination is administered by trained personnel as an investigative aid only. The results of such examinations may not be used as the sole basis for rejecting a candidate.

Oral interviews of eligible candidates are to be conducted using uniform questions, evaluation criteria, and rating procedures. Occupational qualifications, such as general health, physical fitness and agility, emotional stability, and psychological fitness are to be measured and interpreted by trained personnel using valid, useful, and nondiscriminatory procedures.

Finally, a six-month probationary period and completion of entry-level training are required of all candidates. The appointment rate of candidates from probationary to permanent status must meet the requirements of minimum adverse impact.

Compliance with nearly 90 percent of the selection standards will be nondiscretionary (mandatory) for those agencies seeking accreditation. Those relatively few standards that are discretionary (nonmandatory) have either unique conditions or complex circumstances justifying their nonmandatory but still important status. Specifically, though required by the courts for many years now, the linked concepts of validity, utility, and minimum adverse impact for all selection components (standard 32.1.4) are based upon technical, professional, and legal requirements beyond the practical capabilities of most agencies at the outset of the accreditation process. In particular, an agency may not have available the trained personnel necessary to administer, score, and interpret selection procedures (standard 32.1.12).

Finally, there are several important assumptions and caveats underlying the selection standards. First, they are generally applicable only to those agencies with ongoing selection activities, which normally take place only when actual vacancies exist or when potential vacancies are forecasted.

A second assumption of the standards is that, unless stated otherwise, they apply only to sworn personnel. Similarly, unless specifically stated to the contrary, all standards are applicable to the selection of entry-level personnel only.

Third, it is understood that some agencies are required to handle their personnel through a state or local civil service merit system and are, therefore, linked to that system in the selection of their law enforcement personnel. Obviously, every agency is obligated to comply with all applicable statutes and policy directives. This may result in the agency's being unable to comply with certain of these standards. Statutory changes and new policy directives are clearly out of the hands of the agency itself. However, the agency is required to show that the civil service agency upon which it depends is in compliance with applicable standards.

## **32.1 Professional and Legal Requirements**

**32.1.1** *A written directive vests the authority and responsibility for administering the agency's role in the selection process in an identifiable position.*

**Commentary:** The position identified as the administrator of the selection process should have the authority to manage the operation. If respon-

sibility for selection is shared with or vested in another authority (e.g., a civil service commission), then the law enforcement agency should perform appropriate liaison activities to carry out the selection process. However, even when authority for selection is shared, the law enforcement agency should maintain the primary

responsibility for such selection components as background investigations, oral interviews, and probationary period assessment. (M M M M M M)

**32.1.2** *Where a centralized personnel agency exists, a written directive governs the responsibilities retained by the law enforcement agency's chief executive officer for selection of personnel.*

**Commentary:** The law enforcement agency should retain specific prerogatives concerning the selection process that will allow the agency to obtain qualified candidates for its positions. Identification of the specific needs of the agency, determination of the skills and personal attributes required for positions, and the selection of personnel on those bases are examples of responsibilities that should be retained by the law enforcement agency's chief executive officer. The agency should also have a role in the development of the measurement instruments that are used in determining the skills and attributes of applicants for positions. (M M M M M M)

**32.1.3** *The agency maintains on file current manuals that describe all components of the selection process.*

**Commentary:** A comprehensive manual is essential for the proper administration, use, and defensibility of the selection process. The manual may deal solely with the selection process or may be incorporated in a larger personnel management or general policy and procedures manual. The manual should describe the order of events in the selection process and should include, at the least, information about the purpose, development, validity, utility, fairness, adverse impact, administration, scoring, and interpretation of all elements used in the selection process. The law enforcement agency may rely upon a state or local civil service commission, employment agency, or other public or private organization to administer or provide one or more elements of the selection process. If so, a copy of all relevant manuals should be maintained on file by the law enforcement agency. (M M M M M M)

**32.1.4** *The selection process uses only those components that have been documented as having validity, utility, and a minimum adverse impact.*

**Commentary:** Federal law concerning validity requires proof that a given element of the selection process either will predict job performance or detect important aspects of candidates' work behavior related to the position for which they are applying. If a particular procedure, test, or requirement is not significantly related to an

important part of the job, then it is not valid and cannot be used in the selection process. The primary question to be answered in validation is the degree to which the agency makes appropriate assumptions about a candidate's job performance by using a particular procedure, test, or requirement in the selection process. Determining validity is a complicated technical process, and validation research should meet both professional and legal requirements.

Utility is an assessment of the practical value of an element of the selection process based upon considerations of validity, selection ratio, the number of candidates to be selected, and the nature of the job.

Adverse impact is a substantially different rate of selection (generally less than 80 percent) that works to the disadvantage of members of a race, sex, or ethnic group. When two or more alternative components of the selection process are available that have equal validity and utility, the agency should use that element with the least adverse impact. (O O O O O O)

**32.1.5** *The validity of the selection process as a whole, or individual components of the selection process, is determined in one or more of the following ways:*

- *criterion-related validation*
- *construct validation*
- *content validation*

**Commentary:** There are three concepts or strategies accepted by professionals and recognized by the courts for measuring the validity (job relatedness) of the selection process as a whole or of its individual components. The preferred approach is predictive or criterion-related validity. Criteria are identified that reflect successful performance of the job, and test scores are then correlated with the performance ratings for the predetermined criteria; a high correlation demonstrates that the test is a useful predictor of the candidate's job performance. Construct validity involves the identification of the characteristics or traits (e.g., honesty) believed to be important to successful job performance. A test is then given that should measure the degree to which the candidate possesses the required characteristics. In content validity, a component of the selection process is justified by showing that it measures a significant part of the job (e.g., a typing test for a typist). In the final analysis, the selection process should be strictly accountable to the following checklist: (1) professionally and legally accepted data collection techniques are used to identify

job tasks; (2) measurable candidate characteristics related to predicting job performance are identified; (3) selection components whose measures are job related have been used; and (4) conclusions and inferences about candidates are logical and persuasive. One or more of the validation strategies should be used, as appropriate, to support individual components of the selection process or the selection process as a whole.

(M M M M M M)

**32.1.6** *A written directive requires that adverse impact, if any, in the selection process be measured by comparing the selection rates for each race, sex, and ethnic group with the group having the highest selection rate.*

**Commentary:** Adverse impact should be determined by a four-step process. First, calculate the selection rate of each group by dividing the number of persons selected from the group by the number of applicants from that group. An applicant is any person who has indicated an interest in being considered for employment by completing an initial application form or contact card. A person who voluntarily withdraws either formally or informally at any stage of the selection process is no longer an applicant for purposes of computing adverse impact. Second, observe which group has the highest selection rate. Third, divide the selection rate for each group by the rate for the highest group. Finally, observe whether the selection rate for any group is less than 80 percent of the selection rate for the highest group. If so, adverse impact is indicated in most cases, unless a test of statistical significance indicates otherwise. The calculation should be based on a significantly large number of cases to be statistically significant. (M M M M M M)

**32.1.7** *A written directive requires that adverse impact, if any, be minimized in the selection process.*

**Commentary:** A selection rate for any race, sex, or ethnic group that is less than 80 percent of the group with the highest selection rate is generally regarded as evidence of adverse impact and considered to be discriminatory. Smaller differences in the selection rate may, nevertheless, constitute adverse impact. This occurs when such differences, though small, are significant in both statistical and practical terms, or when candidates have been discouraged disproportionately on grounds of race, sex, or ethnic group. On the other hand, greater differences in the selection rate may not necessarily constitute adverse impact. This is the case when such differences are based upon small numbers not statistically significant or when special recruiting has caused the pool of minority

or female candidates to be atypical of what normally is expected from such groups.

(M M M M M M)

**32.1.8** *A written directive requires that records and data used to monitor adverse impact, if any, be maintained on file.*

**Commentary:** The agency should maintain and have available for inspection all records and data that will disclose the impact of tests and other components of the selection process by identifiable race, sex, and ethnic group. Documentation should be available in the event of litigation or appeals involving alleged discrimination.

(M M M M M M)

**32.1.9** *Written tests, if any, used as part of the selection process are documented as having validity, utility, and a minimum adverse impact.*

**Commentary:** Written tests must be valid and nondiscriminatory to be used as part of the selection process. This is true for any test used or relied upon by the agency, including those that are commercially developed and those used by state and local civil service commissions. All cut-off scores, passing points, and/or numerical rankings used in the selection process should be documented as having validity, utility, and a minimum adverse impact. (M M M M M M)

**32.1.10** *All elements of the selection process administered or provided by a private sector organization or vendor meet the requirements of validity, utility, and minimum adverse impact.*

**Commentary:** If law enforcement agencies retain outside organizations, such as commercial testing services, polygraph examiners, employment agencies, industrial psychologists, and personnel consultants, the products, services, and methods provided to the agency should meet the professional and legal requirements of validity, utility, and minimum adverse impact.

(M M M M M M)

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

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

the agency susceptible to legal challenges.  
(M M M M M M)

**32.1.12** *A written directive requires that personnel representative of race, sex, and ethnic groups in the agency's service area be included in carrying out the requirements of standard 32.1.11, whenever possible.*

**Commentary:** The selection manual should specify basic qualifications needed to administer, score, and evaluate tests and other components used in the selection process. Personnel selection staff should meet these qualifications and be thoroughly trained in the content and use of selection procedures. Employing personnel who are representative of the community served by the agency should enhance the confidence of both candidates and the general public. (M M M M M M)

**32.1.13** *A written directive requires that selection materials be stored in a secure area when not being used.*

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

**32.1.14** *If selection materials are disposed of, this action is performed in a manner that prevents disclosure of the information therein.*

**Commentary:** Procedures such as burning or shredding, under monitored conditions, are effective ways to dispose of selection materials. (M M M M M M)

**32.1.15** *The selection process is evaluated annually.*

**Commentary:** The entire selection process should be evaluated in terms of its effectiveness in selecting the best qualified candidates in a fair and equitable manner. Elements of the selection process may become obsolete or have new effects over time due to changes in the applicant pool, reclassification of positions, new technology used on the job, and other developments after the selection process has been implemented. All circumstances concerning the evaluation of validity, utility, and adverse impact should be considered in determining when one or more components of the selection process is outdated. This would include a review of the most recent literature and case law on selection, equal employment opportunity, and related selection issues. (M M M M M M)

## 32.2 Administrative Practices and Procedures

**32.2.1** *A written directive establishes selection criteria for positions where lateral entry is permitted.*

**Commentary:** Selection criteria for lateral entry should include both eligibility qualifications and formal procedures for carrying out the process. Lateral entry should be available for sworn and civilian positions at the specialist, managerial, administrative, and chief executive levels. When qualified personnel are available both within and outside the agency, the selection decision should favor agency employees. (M M M M M M)

**32.2.2** *If the agency allows reapplication, retesting, and reevaluation of candidates not appointed to probationary status, a written directive specifies the conditions and procedures thereof.*

**Commentary:** A candidate who fails should not necessarily be excluded from further consideration since (1) no selection component is perfectly reliable; (2) the candidate may have acquired new knowledge, skills, and abilities; (3) adverse impact can be reduced through retesting; and (4) the threat of lawsuits or appeals can be minimized through retesting.

Nevertheless, alternative forms and reasonable time intervals should be used to prevent overexposure to the selection process. Obviously, there would have to be a vacancy available for which a candidate could reapply, and the positions for which vacancies exist would vary over time. Moreover, all candidates not appointed to probationary status should be given a reasonable period of time from the receipt of written notification to present additional information or data concerning the selection decision. (M M M M M M)

**32.2.3** *At the time of their formal application, candidates are informed, in writing, of all elements of the selection process, as well as:*

- *written notice of the expected duration of the selection process; and*
- *a copy of the written directive required by standard 32.2.2.*

**Commentary:** A listing of selection elements should include (but is not limited to) all written physical and psychological examinations, polygraph examinations, oral interviews, and background investigations. From the outset, candidates should be made aware that sensitive or confidential aspects of their personal life may be

explored. Written notification of the expected duration of the selection process not only is a courtesy but also helps the agency better plan and coordinate its selection process. Candidates should be reasonably informed, in advance, of when and where retesting is to take place in the event they fail to complete the selection process.

(M M M M M M)

**32.2.4** *Candidates not eligible for appointment to probationary status are informed, in writing, within thirty calendar days of such a decision.*

**Commentary:** Prompt notification in writing is not only an essential element of an efficient administrative organization but also is fundamental to a fair and effective selection process.

(M M M M M M)

**32.2.5** *Candidates not appointed to probationary status on the basis of a single test, examination, interview, or investigation are informed, in writing, of the specific reason within thirty calendar days.*

**Commentary:** Although a hiring decision is most often based upon a number of factors, the nature of the selection process enables a single procedure (e.g., background investigation, test scores, medical examination) to result in the elimination of a candidate from further consideration. Disclosure is often required by law and is consistent with fair administrative practice. It may also serve either to encourage or discourage candidates from reapplying to the agency.

(M M M M M M)

**32.2.6** *A written directive governs the disposition of the records of candidates not appointed to probationary status.*

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

(M M M M M M)

### 32.3 Background Investigations

**32.3.1** *A background investigation of each candidate is conducted prior to appointment to probationary status.*

**Commentary:** The background investigation, though costly and time consuming, is considered

by many practitioners to be the most useful and relevant component of the selection process. Investigators must use all data available on the candidate, especially the application form and the medical history report. It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier.

(M M M M M M)

**32.3.2** *A written directive requires that a background investigation include the verification of a candidate's qualifying credentials, as well as:*

- a review of a candidate's criminal record, if any; and
- verification of at least three personal references of the candidate.

**Commentary:** Qualifying credentials should include educational achievement, employment, age, residence, and citizenship. A candidate's criminal history should be obtained from the National Crime Information Center (NCIC), a Federal Bureau of Investigation (FBI) fingerprint check, and appropriate state and local criminal history record information repositories. Personal references should include at least one employer (if the candidate has an employment history) and may include teachers, landlords, neighbors, friends, and co-workers. The verifications can be made by telephone, correspondence, or personal interview and should be backed up by written notations. (M M M M M M)

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

**Commentary:** The agency should consider using only sworn personnel to conduct personal interviews as part of the background investigation. Ideally, the agency should maintain a special unit for conducting such investigations. The use of specially trained personnel would better ensure the confidentiality of the inquiry and enhance the overall quality of the investigative techniques.

(M M M M M M)

**32.3.4** *A record of each candidate's background investigation is maintained on file for at least five years.*

**Commentary:** A record should be maintained to document the background investigation and to provide a reference when needed.  
(M M M M M M)

## 32.4 Polygraph Examinations and Other Instruments for the Detection of Deception

**32.4.1** *If polygraph examinations or other instruments for the detection of deception are used in the selection process, candidates are provided, at the time of their formal application, with a list of areas from which polygraph questions will be drawn.*

**Commentary:** For candidates to give their informed consent, it is reasonable for them to know the full nature and extent of the inquiry. Questions should be provided just prior to and at the location of the tests so that candidates can have sufficient time to review and understand what is going to be asked of them.  
(M M M M M M)

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

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

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

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

## 32.5 Oral Interviews

**32.5.1** *An oral interview of each candidate is conducted, prior to appointment to probationary status, using valid, useful, and nondiscriminatory procedures.*

**Commentary:** All elements of the oral interview process should be standardized in order to be effective and impartial. Uniform questions, a defined set of personal attributes, and a uniform rating scale should be used. Clarification of answers, if needed, may be sought by the interviewer. Rating scales or procedures should be standardized in order to permit valid and useful distinctions among candidates and their expected job performance. Oral interview results should be recorded on a standardized form.

The oral interview (or personal qualifications appraisal) may be conducted by a board or panel representative of law enforcement practitioners, selection professionals, and/or community representatives. An oral interview conducted by the chief executive officer is considered to satisfy the requirement of this standard.  
(M M M M M M)

## 32.6 Occupational Qualifications

**32.6.1** *All physical and age qualifications for entry-level sworn positions meet the requirements of validity, utility, and minimum adverse impact.*

**Commentary:** Physical qualifications include such things as height, weight, visual acuity, hearing, color blindness, physical agility, and physical fitness. A variety of legal challenges have invalidated many of the specific minimum and maximum qualifications in these areas because they have not been validated as either job related or as bona fide occupational qualifications. If such entry-level requirements are promulgated, they should meet professional and legal standards for validity, utility, and minimum adverse impact.  
(M M M M M M)

**32.6.2** *A medical examination of each candidate is conducted, prior to appointment to probationary status, using valid, useful, and nondiscriminatory procedures.*

**Commentary:** The agency should check the health of candidates to identify any medical problems that might inhibit work performance, shorten a career, or contribute to work-related disabilities. Thus, the agency and the candidate can be made aware of any condition likely to cause a problem.  
(M M M M M M)

**32.6.3** *Only licensed physicians are used to certify the general health of candidates.*

**Commentary:** Law enforcement officers, personnel technicians, or other agency staff should not attempt to interpret medical results. Only licensed physicians should make such judgments to ensure

proper interpretation and defensibility. Other qualified medical personnel may assist the physician in assessing the general health of candidates. (M M M M M M)

**32.6.4** *A physical fitness examination of each candidate is conducted, prior to appointment to probationary status, using valid, useful, and nondiscriminatory procedures.*

**Commentary:** Physical fitness is a candidate's body conditioning as measured by examination results evaluated according to the person's age, weight, and height. Such an examination may help identify qualified candidates and reduce the probability of work-related disabilities. The use of valid, useful, and nondiscriminatory procedures helps ensure accuracy and legal defensibility. (M M M M M M)

**32.6.5** *A physical agility examination of each candidate, if conducted, uses valid, useful, and nondiscriminatory procedures.*

**Commentary:** The purpose of a physical agility test at the entry level is to determine a candidate's strength, endurance, coordination, and ease of movement. Although the "events" in such tests may vary considerably, they should be representative of the degree of physical agility that sworn personnel are expected to maintain throughout their careers. (M M M M M M)

**32.6.6** *An emotional stability and psychological fitness examination of each candidate is conducted, prior to appointment to probationary status, using valid, useful, and nondiscriminatory procedures.*

**Commentary:** Law enforcement work is highly stressful and places officers in positions and situations of heavy responsibility. Psychiatric and psychological assessments are needed to screen out candidates who might not be able to carry out their responsibilities or endure the stress of the working conditions. (M M M M M M)

**32.6.7** *Only qualified professionals are used to assess the emotional stability and psychological fitness of candidates.*

**Commentary:** Law enforcement officers, personnel technicians, or other agency staff should not attempt to interpret psychiatric or psychological requirements. Only qualified professionals, such as psychologists or psychiatrists, should make such judgments to ensure proper interpretation and legal defensibility of the selection process. (M M M M M M)

**32.6.8** *A record of the results of emotional stability and psychological fitness examinations is maintained on file.*

**Commentary:** The agency should maintain a report of each emotional stability and psychological fitness examination to ensure proper procedures are followed and to provide data for continuing research and legal defense, if needed. (M M M M M M)

## 32.7 Probationary Periods

**32.7.1** *At least a six-month probationary period and completion of entry-level training are required before candidates are granted permanent status.*

**Commentary:** The agency should include a probationary period among the final steps in the selection process. A six-month probationary period is generally accepted among the law enforcement community. (M M M M M M)

**32.7.2** *The appointment rate of candidates from probationary to permanent status meets the requirements of minimum adverse impact.*

**Commentary:** To ensure that all probationary candidates have been considered equally, the agency should measure the extent of adverse impact, if any, produced by the probationary process. This can be achieved by evaluating the entry-level appointment rate (i.e., candidates who achieve permanent status) using the uniform four-fifths (80 percent) adverse impact indicator. If adverse impact is suggested, it may be necessary to reevaluate procedures, techniques, and/or examinations used during the probationary process. See standards 32.1.4 through 32.1.11. (M M M M M M)

**32.7.3** *A written directive governs exceptions to the probationary period.*

**Commentary:** An agency often uses candidates eligible for probationary appointment in a variety of special assignments (e.g., undercover) before their entry-level training has been completed. Such assignments may last for several years; the agency should consider these cases when formulating its written directive on extension of or exceptions to the probationary period. An extended probationary period could give the agency an opportunity to provide candidates with remedial services, such as professional counseling or specialized instruction. (M M M M M M)

**32.7.4** *The work performance of each probationary employee is evaluated using valid, useful, and nondiscriminatory procedures.*

**Commentary:** The agency should measure work performance using formal assessments rather than casual ratings. Valid, useful, and nondiscriminatory procedures help ensure accuracy and legal defensibility. (M M M M M M)

**32.7.5** *A written directive establishes procedures for contesting performance reports during the probationary period.*

**Commentary:** The review process should be less than the full grievance procedures available to permanent employees. It should, however, at least permit the review of the most recent contested performance evaluation report by the immediate supervisor of the rater. The review process should include, at least, an interview between the employee and the rater's immediate supervisor. Provisions should be made for written comments by the employee. This standard does not apply if the agency's chief executive officer is either the rater or the rater's immediate supervisor. (M M M M M M)

## Glossary

**TOPICAL AREA:** SELECTION

**ADVERSE IMPACT:** A substantially different rate of selection (generally less than 80 percent) that works to the disadvantage of members of a race, sex, or ethnic group; an unfavorable effect.

**APPOINTMENT/SELECTION RATE (RATIO):** The number of candidates who achieve entry-level probationary status divided by the total number seeking employment.

**CANDIDATES:** Persons seeking employment who have completed a formal application.

**CONSTRUCT VALIDITY:** The identification and measurement of the characteristics or traits believed to be important to successful job performance; must be demonstrated by statistical data.

**CONTENT VALIDITY:** The justification of a component of the selection process by showing that it measures a significant part of the job.

**CRITERION-RELATED VALIDITY:** The justification of a component of the selection process by showing that it is predictive or correlated with important elements of the job; must be demonstrated by statistical data.

**CUT-OFF SCORE/PASSING POINT:** The numerical result of a valid and useful test or examination used to determine minimum eligibility.

**EMOTIONAL STABILITY/PSYCHOLOGICAL FITNESS EXAMINATION:** Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either deleterious or advantageous to successful job performance.

**ENTRY LEVEL:** The stage at which a person is first employed in a position.

**FAIRNESS:** Resulting in a minimum adverse impact.

**FORMAL APPLICATION:** A written form used to express interest in employment and to request information on a person's basic occupational qualifications, work experience, educational background, training, and special skills or abilities.

**IDENTIFYING INFORMATION:** Any data included in personnel records and selection materials that directly or indirectly make a specific individual recognizable or known.

**INFORMED CONSENT:** A voluntary agreement to participate in an activity and/or allow an activity or procedure to be performed based upon the availability of all pertinent information and the ability to understand the consequences of the agreement decision.

**INITIAL APPLICATION:** A written form (referred to as a preapplication contact card) used to express a person's general interest in employment; it provides the prospective employer with such basic information as the person's name, address, age, telephone number, and the position desired.

**INSTRUMENT FOR DETECTION OF DECEPTION:** A mechanical apparatus designed for the detection of deception by measuring and recording changes in a person's voice characteristics or respiration and heart activity.

**JOB RELATED:** A procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

**JOB TASK:** A description of what an employee does, for what purpose, on instructions from whom, when and where, and with what materials and equipment.

**LATERAL ENTRY:** A personnel practice that permits employees from within or outside the agency to be selected for a position and be exempted from all or part of the agency's selection process for that position; if the employees meet the minimum qualifications of the employing agency, they are not necessarily subjected to the total selection process.

**MINIMUM ADVERSE IMPACT:** The use of selection components or procedures among all those available that reduce any unfavorable effect to the greatest extent possible consistent with validity.

**NONDISCRIMINATORY 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.

**ON FILE:** On hand; catalogued or recorded in an official written record (including microfilm, microfiche, or computer printout) that is available for visual inspection in the agency.

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

**PHYSICAL AGILITY:** A candidate's physical strength, endurance, coordination, and ease of movement as measured by a valid and useful test.

**PHYSICAL QUALIFICATIONS:** Any quality or ability pertaining to the body (i.e., hearing, height, weight, visual acuity, physical fitness, physical agility) that has a bearing upon a candidate's suitability for employment.

**POLYGRAPH EXAMINATION:** A mechanical apparatus designed for the detection of deception by measuring and recording changes in a person's respiration and heart activity.

**PRIVATE SECTOR ORGANIZATION/VENDOR:** Any business enterprise not under governmental control or ownership and capable of providing goods and/or services to a law enforcement agency.

**PROBATIONARY PERIOD/STATUS:** A latter phase of the selection process represented by some form of conditional employment.

**SELECTION CRITERIA:** Rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

**SELECTION MANUAL:** A written document that describes and defines all methods and components of the selection process.

**SELECTION MATERIALS:** All written tests, test scores, answer sheets, study materials, evaluations, ratings, questionnaires, reports, and forms used in the selection process that have a bearing upon the employment decision.

**SELECTION PROCEDURE:** Any established method or combination of methods used in any way as the basis for an employment decision.

**SELECTION PROCESS:** The combined effect of components and procedures leading to the final employment decision, including minimum qualifications (e.g., education, experience, physical attributes, citizenship, residency), written tests, performance tests, oral exams, interviews, background investigations, medical exams, polygraph tests, police academy ratings, probationary period ratings, personality inventories, interest inventories, psychiatric evaluations, veteran's preference, cut-off scores, and ranking procedures.

**SKILL:** A present, observable competence acquired or developed through experience and/or training.

**SKILLS, KNOWLEDGE, AND ABILITIES (SKA):** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**UTILITY/USEFULNESS:** 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.

**VALIDITY:** Proof through statistical data that a given component of the selection process is job related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

**WORK BEHAVIOR:** The manner of performance of one or more tasks (physical and mental) to achieve the objectives of the job.

# 33

## TRAINING

Standards in this chapter relate to the training of law enforcement personnel. Sub-chapters address the organization and administration of the training function; training academy administration; training instructors; recruit training; in-service, roll-call, and advanced training; specialized training; and civilian personnel training.

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

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

### 33.1 Organization and Administration

**33.1.1** *A written directive identifies the training goals of the agency.*

**Commentary:** The directive should identify the scope of agency training goals. These goals provide the basis for developing all training programs, choosing teaching methods, and evaluating student performance. The training goals should be consistent with the law enforcement responsibilities of the agency. (M M M M M M)

**33.1.2** *A written directive establishes the agency's training function.*

**Commentary:** The directive should establish the training function; provide the organizational placement of the function; identify its authority and responsibilities; and assign to it the activities consistent with the agency's training goals. The directive should establish the function's responsibilities for both sworn and civilian training.

The nature of the training function will be based on the size of the agency—with larger agencies having separate components and smaller agencies relying on a training officer supplemented

by other agency personnel as required.  
(M M M M M M)

**33.1.3** *A written directive specifies the activities of the training component, to include:*

- *planning and developing training programs;*
- *administering the training academy (if the agency has an academy);*
- *notifying personnel of required training, and training that is available to agency personnel;*
- *maintaining training records;*
- *ensuring that required training programs are attended;*
- *implementing training programs;*
- *selecting instructors;*
- *evaluating training programs; and*
- *coordinating training programs.*

**Commentary:** Specifying the activities helps ensure that all training and training-related activities are being addressed and that there is accountability for the efforts. All training activi-

ties should be conducted within the framework of agency goals and in cooperation with all operational units. (O O O O O O)

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

- designation of the number of committee members and their names or positions;
- the process for selecting and replacing committee members;
- the relationship of the training component to the committee;
- authority and responsibilities of the committee; and
- designation of the person or position to whom the committee reports.

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

**33.1.5** A written directive establishes an annual process for evaluating, updating, and revising all agency training programs.

**Commentary:** The agency's training programs should be reviewed annually to ensure that they complement personnel and operational needs, legal requirements, and agency policies. The evaluation and updating process should include a review of new laws, court decisions, and agency directives; an evaluation of the training programs; the identification of problems associated with physical facilities, materials, or scheduling; consultation with heads of agency components, the academy director, and the agency's chief executive officer; and a review of the number of persons trained and the extent of training provided. The process should ensure that any necessary updating of training programs is implemented. (M M M M M M)

**33.1.6** A written directive identifies the resources that will be used in training program development, to include, at a minimum:

- inspection reports;
- staff reports and/or meetings;
- consultation with field personnel and field observations;
- training committee reports;
- training evaluations;

- participation and approval by the agency's chief executive officer; and
- internal affairs investigative reports.

**Commentary:** Many sources of information and data within the agency provide legitimate measures of training needs. The written directive should identify those sources as well as a process of integrating this information into training program development. (O O O O O O)

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

**Commentary:** The directive should describe exceptions and provide procedures for (1) documenting attendance, (2) excusing participants for such events as court appearances, (3) making up time that is missed as the result of excused and unexcused absences, and (4) ensuring that employees are recognized for successful completion of the training program. (M M M M M M)

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

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

**33.1.9** The agency's training program is affiliated with a college or university.

**Commentary:** Agencies may choose to conduct some or all training in association with a local college or university. This association may include provision of classroom instruction on campus, teaching by the college faculty at the agency's academy or training site, college credit for training, or assistance in curriculum and lesson plan development. Whatever the level of affiliation selected by the agency, the basis for the relationship as well as the rights and responsibilities of each party should be established through an affiliation agreement. (O O O O O O)

**33.1.10** A written directive governs the use of the resources of public and private organizations in agency training programs.

**Commentary:** The intent of the standard is that the agency should identify potential resources in the local public and private sectors that are available to enhance agency training programs. (O O O O O O)

**33.1.11** *A written directive governs training provided to agency personnel by other criminal justice agencies, and training provided by the agency to personnel of other criminal justice agencies.*

**Commentary:** The directive should encourage this type of training to increase effectiveness, improve coordination, and promote better understanding among criminal justice system agencies.

(O O O O O O)

**33.1.12** *The agency provides classroom space for internal training programs.*

**Commentary:** Classroom space should be plentiful enough to accommodate local training, including in-service and specialized training, without causing crowding or scheduling difficulties. It is suggested that classrooms in larger agencies be equipped with desks or writing tables, audiovisual equipment, blackboards, and other accoutrements to enhance training.

(M M M M M M)

**33.1.13** *Job task analyses are used in the development of the curricula of agency training programs.*

**Commentary:** The agency should be able to demonstrate the job-relatedness of all training programs. Specific requirements for hours of instruction may be imposed, but such requirements do not relieve the agency of the responsibility for relating required hours and required course work to a job task analysis.

(O O O M M M)

**33.1.14** *A written directive establishes performance objectives for all training programs.*

**Commentary:** Along with requiring training curricula based on job task analyses, the agency should develop performance objectives. The performance objectives should (1) focus on the elements of the job task analysis for which formal training is needed, (2) provide clear statements of what is to be learned, (3) provide the basis for evaluating the participants, and (4) provide a basis for evaluating the effectiveness of the training program.

The use of performance objectives acquaints the training participants with the information they are required to know, the skills that must be demonstrated, and the circumstances under which the skills will be used. This approach also enables the instructors to relate training directly to the job performance that will be expected by supervisors. (O O O M M M)

**33.1.15** *The agency requires lesson plans for all training courses, to include provisions for the following:*

- *guidelines and format for lesson-plan development;*
- *a statement of performance objectives; and*
- *the content of the training and specification of the appropriate instructional techniques.*

**Commentary:** The development of lesson plans should ensure that the subject to be covered in training is addressed completely and accurately and is properly sequenced with other training materials. Lesson plans establish the purpose of the instruction, set forth the performance objectives, relate the training to critical job tasks, and identify the matters that will be taught. Lesson plans should be required of nonresident instructors as well as resident academy staff.

The lesson plans should also include references, teaching techniques (lecture, group discussion, panel, seminars, debate), relationships to job tasks, responsibilities of the participants for the material taught, and plans for evaluation of the participants. The instructional techniques that should be incorporated are (1) conferences (debate, discussion groups, panels, and seminars); (2) field experiences (field trips, interviews, operational experiences, and operational observations); (3) presentations (lecture, lecture-discussion, lecture-demonstration); (4) problem investigations (committee inquiry); and (5) simulations (case study, games, and role-play).

If an agency uses an outside academy for all or part of its training program, the lesson plans of the academy may be used to show compliance. The agency must develop lesson plans for whatever training it provides, e.g., field training, specialized instruction. (M M M M M M)

**33.1.16** *A written directive specifies the approval process for lesson plans.*

**Commentary:** The directive should identify a person or component responsible for approving lesson plans. This approval process should ensure that the lesson plans are consistent with agency guidelines on lesson plan development, existing state requirements, and other agency policies. (M M M M M M)

**33.1.17** *A written directive governs procedures for the use of testing in all agency training programs.*

**Commentary:** A written directive should establish the basis for testing, the passing and failing scores in training examinations, and guidelines for the development of tests. In most instances, agencies should use competency-based tests that use performance objectives and measure participant knowledge of and ability to use job-related skills. (M M M M M M)

**33.1.18** *A written directive governs agency policy concerning remedial training.*

**Commentary:** The directive should include (1) the circumstances and criteria used to determine the need for remedial instruction, (2) the timetables under which remedial training is provided, and (3) the consequences of participation or nonparticipation by the affected personnel. The directive should recognize the uses of remedial instruction in other than recruit training and should comment on the relationship between the inspections and training functions.

(M M M M M M)

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

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

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

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

**Commentary:** The intent of the standard is to ensure that the agency is able to demonstrate what instruction was provided, who attended the sessions, and the performance of the attendees. The standard would be satisfied in part by maintaining on file the lesson plans used by the course instructors. (M M M M M M)

**33.1.21** *A written directive governs the release of training records outside the agency.*

**Commentary:** The agency should determine the circumstances under which release of training records for the use of entities outside the agency is allowed. (O O O O O O)

## **33.2 Academy Administration**

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

- *a statement of the academy's goals and responsibilities;*
- *organization and staffing;*

- *administrative procedures; and*
- *operating procedures.*

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

(M M M M M M)

**33.2.2** *If the agency operates a training academy, a written directive establishes the position, authority, and responsibilities of the training academy director.*

**Commentary:** The directive should describe the relationship of the academy director to the agency's chief executive officer and to the training component to ensure accountability for training. The directive should also address the responsibilities of the director in developing training policy. The directive should establish the director's responsibility for selection, appointment, supervision, and removal of staff and instructors.

(M M M M M M)

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

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

**Commentary:** The agency should have access to training facilities but need not necessarily own the facilities. The size and type of the facilities should be consistent with the academy curriculum. The academy should also have access to (1) a paved driver-training track with a minimum of a circular driving surface of one-quarter mile, a skid pan, and a straightaway and (2) a firing range. The driver-training track and the firing range may be located away from the academy's main facility. (O O O O O O)

**33.2.4** *If agency personnel are trained in an outside academy, a written directive describes the relationship between the agency and the outside academy, to include the:*

- *legal basis for participation in the academy;*
- *relationship of the agency training component and the agency to the academy;*
- *process for providing agency input to the academy program;*

- *circumstances under which the agency provides staff, facilities, instructors, and other resources to the academy;*
- *financial obligations of the agency to the academy; and*
- *determination of the legal liability of the participating agencies.*

**Commentary:** An agency may choose to avail itself of recruit, in-service, or specialized training in an academy not operated by the agency (e.g., regional academy, state-operated academy). Regardless of the reasons for participation, the written directive should provide the basis for the agency's participation in the academy to ensure that training needs are being met. To safeguard the interests of both the agency and the academy while agency personnel are attending academy training, the directive should also specify any legal liabilities of the agency and/or academy.

(M M M M M M)

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

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

(M M M M M M)

### 33.3 Training Instructors

**33.3.1** *A written directive identifies the skills, knowledge, and abilities required for instructors in all agency-operated training programs.*

**Commentary:** Selection of qualified instructional staff is critical to the operation of a successful training program. The requirements should include knowledge of teaching theories, methods, and practices, in addition to knowledge of law enforcement. (M M M M M M)

**33.3.2** *A written directive governs the tenure of instructors in all agency-operated training programs.*

**Commentary:** Instructor development and instructor turnover are of constant concern to academy administrators. The directive should establish the intervals during which full-time and part-time staff are assigned to the academy. It is recommended that full-time instructors be

assigned to the academy staff for a minimum of two years. (O O O O O O)

**33.3.3** *A written directive requires instructors in agency-operated training programs to receive training, which includes, at a minimum:*

- *lesson plan development*
- *performance objective development*
- *instructional techniques*
- *learning theory*
- *testing and evaluation techniques*
- *resource availability and use*

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

**33.3.4** *A written directive governs the selection criteria for, and supervision of, instructors from outside the agency.*

**Commentary:** There are many outside resources available for providing instruction, such as other law enforcement and criminal justice agencies and the community. The directive should describe how the selection process is initiated, the responsibility of the instructors for providing instructional material to the academy, and the level of compensation, if any. (O O O O O O)

### 33.4 Recruit Training

**33.4.1** *The agency requires all newly sworn officers to complete the recruit academy training program prior to any routine assignment in any capacity in which the officer is allowed to carry a firearm or is in a position to make an arrest, except as part of a formal field training program required in standard 33.4.6.*

**Commentary:** The intent of this standard is to preclude assigning persons to positions requiring the carrying of firearms, enforcing the law or making arrests until they successfully complete a structured basic training course. Those persons who have been hired, but who have not yet completed the basic training course could be used in such positions as communications, records, or other activities not requiring the carrying of a firearm, enforcing the law or making an arrest. An exception is allowed for those trainees participating in the formal field training program required in standard 33.4.6.

(M M M M M M)

**33.4.2** *The academy provides an orientation handbook to all new recruit personnel at the time academy training begins.*

**Commentary:** In the new environments of both the law enforcement profession and a law enforcement training academy, new personnel should be provided with information concerning (1) the organization of the academy; (2) the academy's rules and regulations; (3) the academy's rating, testing, and evaluation system; (4) physical fitness and proficiency skill requirements; and (5) daily training schedules.

By providing recruit trainees with this information, the interests of both the agency and the recruit trainees are served.

(O O O O O O)

**33.4.3** *A written directive requires the agency recruit training program to include:*

- *a curriculum based on job task analyses of the most frequent assignments of officers who complete recruit training; and*
- *use of evaluation techniques designed to measure competency in the required skills, knowledge, and abilities (SKA).*

**Commentary:** The most significant contribution to recruit training in recent years has been the realization that training to fill a set number of hours may not result in better trained officers. The minimum length and intensity of training should be based on a job task analysis as measured by competency-based testing. In the opinion of informed experts, this ordinarily requires a training course of 400 hours.

(M M M M M M)

**33.4.4** *The recruit training program for sworn officers includes instruction in the subject areas listed in Appendix A at a minimum.*

**Commentary:** The intent of this standard is to establish a minimum basic training curriculum for recruit programs (see Appendix A at end of chapter). The academy may provide the training in any sequence that enhances the presentation of the subject matter. The classroom instruction should be accompanied by recruit participation in practical problems outside the academy setting. (M M M M M M)

**33.4.5** *The agency recruit training curriculum provides emergency medical training equivalent to that contained in the "Emergency Medical Services: First Responder Training Course" of the National Highway Traffic Safety Administration, U.S. Department of Transportation.*

**Commentary:** It is essential that law enforcement officers be trained to provide emergency first aid in different situations. In developing first-aid training, the agency should consider the accessibility and availability of emergency medical services within the jurisdiction. One example of a first-aid program is the "Emergency Medical Services: First Responder Training Course," a 40-hour training program that has been specifically developed for law enforcement officers. This structured course includes many traditional first-aid subjects but has been modified to meet law enforcement needs. The course includes instruction in cardiopulmonary resuscitation (CPR).

(M M M M M M)

**33.4.6** *A written directive establishes a field training program for recruits with provisions for the following:*

- *field training of at least four weeks for trainees, during and/or after the required classroom training;*
- *a selection process for field training officers;*
- *supervision of field training officers;*
- *liaison with the academy staff;*
- *training and in-service training of field training officers;*
- *rotation of recruit field assignments;*
- *guidelines for the evaluation of recruits by field training officers; and*
- *reporting responsibilities of field training officers.*

**Commentary:** The goal of field training is to provide recruit trainees with "on street" experiences following the completion of classroom training as required in standard 33.4.1. A minimum four-week period permits time for rotation of recruits among the various training activities and objectives with which they must be familiar. In some cases, field training may be presented at intervals as part of a logically coherent classroom training program. Here, training is managed by providing classroom training followed by a short segment in the field to provide the trainee with "on street" experience in those curricula areas just received in the classroom. Whether presented during and/or after the classroom training, field training shall be a closely supervised process, as the initial experience of recruits often shapes their future careers.

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

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

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

**33.4.7** *The academy provides access to psychological counseling services for recruit trainees.*

**Commentary:** By the time the recruit trainee begins an academy training program, the agency has a substantial investment in the trainee. With the stress that may be associated with a new profession, changes in life-style, and associated family stresses, recruit trainees may need psychological counseling. (O O O O O O)

### **33.5 In-service, Roll-call, and Advanced Training**

**33.5.1** *A written directive requires all sworn personnel to complete an annual retraining program, inclusive of firearms requalification.*

**Commentary:** The agency should ensure that personnel are kept up to date with new laws, technological improvements, and revisions in agency policy, procedures, rules, and regulations. The mandatory retraining may also be designed to provide supervisory, management, or specialized training to participants. Retraining may be used to supplement (1) promotional training, (2) training prior to assignment to a specialized component, or (3) executive development training for higher ranking officers. The agency should ensure that information included in retraining is included on promotional examinations.

The program should be structured in such a way as to motivate experienced officers and to further the professionalization of the agency. The training should include a review of the following topics: (1) agency policy, procedures, and rules and regulations, with emphasis on changes; (2) statutory or case law affecting law enforcement operations, with emphasis on changes; (3) the functions of agencies in the local criminal justice system; (4) exercise of discretion in the decision to invoke the criminal justice process; (5) interro-

gation and interviewing techniques; (6) agency policy on the use of force, including the use of deadly force; (7) emergency medical services; (8) the performance evaluation system; (9) emergency fire suppression techniques; (10) new or innovative investigative or technological techniques or methods, if any; (11) hazardous materials incidents; (12) contingency plans, if any, including those relating to special operations and unusual occurrences; (13) crime prevention policies and procedures; (14) collection and preservation of evidence; and (15) report writing and records system procedures and requirements. (M M M M M M)

**33.5.2** *A written directive establishes an agency roll-call training program.*

**Commentary:** Roll-call training is a technique that may supplement all other training. Roll-call training may be a useful element of agency training, if it is well managed and supervised. The goal of this training should be to keep officers up to date between formal retraining sessions. An agency's roll-call training program should consider the special needs of those personnel, if any, who do not report for duty to a facility (e.g., resident state troopers, deputy sheriffs, etc.). (O O O O O O)

**33.5.3** *A written directive governs roll-call training and includes:*

- *planning for roll-call training;*
- *techniques used in roll-call training;*
- *relationships with the academy;*
- *instructional methods;*
- *instructional personnel;*
- *evaluation of roll-call training;*
- *scheduling of training; and*
- *role of supervisors and officers.*

**Commentary:** To be useful to the agency, the roll-call training program must be well structured and reflect the needs of the agency while being flexible enough to fit into a roll-call setting. (O O O O O O)

**33.5.4** *A written directive governs advanced training for sworn personnel and includes:*

- *criteria for selecting personnel to attend;*
- *assignment of personnel within the agency following completion of advanced training; and*
- *mandatory training requirements of the agency that are satisfied by the advanced training.*

**Commentary:** Advanced training may be considered the type of training provided at the FBI

National Academy, the Southern Police Institute, and the Northwestern University Traffic Institute (two extended management programs). This type of training is most often designed to improve the professional competence of officers who have demonstrated leadership capabilities.

The written directive should establish the criteria for and conditions by which personnel may take advantage of the training. Additionally, consideration should be given to the assignment that the personnel who receive this training will be given on return to the agency. This effort should further enhance the training as well as prevent misunderstandings. (O O O M M M)

### 33.6 Specialized Training

**33.6.1** *A written directive identifies the positions for which specialized training is required.*

**Commentary:** The agency should identify all of the positions for which both pre- and postassignment training are required. (M M M M M M)

**33.6.2** *Specialized training provided to personnel includes the following:*

- *development and/or enhancement of the skills, knowledge, and abilities particular to the specialization;*
- *management, administration, supervision, personnel policies, and support services of the function or component;*
- *performance standards of the function or component;*
- *agency policies, procedures, rules, and regulations specifically related to the function or component; and*
- *supervised on-the-job training.*

**Commentary:** It is the intent of this standard that the agency provide more than traditional "on-the-job training" to personnel assigned to specialized activities. The training should be based on the results of a job task analysis of the specialized assignment, and formal training should be coordinated closely with experienced personnel. Many of the practitioners of law enforcement specialties have identified specific course content and hours that they believe provide personnel with necessary skills. In the development of specialized training, these resources are valuable assets that may be considered along with the job task analysis in designing curriculum and requiring hours of participation.

In addition to developing specific skills, personnel assigned to specialized activities should be

made aware of the administrative requirements and relationships of the specialized function or component to other parts of the agency. Each specialty has associated with it certain legal and policy issues that should be included in training. (M M M M M M)

**33.6.3** *Training provided under standard 33.6.2 is initiated within 30 days of the assignment of an employee to the component.*

**Commentary:** A specialized component is defined as any unit for which skills are required in addition to the skills, knowledge, and abilities gained in recruit or other in-service training. Whatever the specialty, the agency should develop training by establishing performance objectives and lesson plans based on a job task analysis of the specialty. (M M M M M M)

### 33.7 Civilian Training

**33.7.1** *A written directive requires all newly appointed civilian personnel to receive the following training:*

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

**Commentary:** Civilian employees should be trained to meet the requirements of job responsibilities as identified by a job task analysis. (M M M M M M)

**33.7.2** *A written directive identifies the civilian positions for which training, in addition to orientation, is required prior to assumption of job responsibilities.*

**Commentary:** The agency should consider the training of two categories of civilian employees—those acting in quasi law enforcement capacities and those who deal with the public on a regular basis. The former category includes, for example, schoolcrossing guards, community service officers, and parking enforcement personnel. The training for this category of personnel should include the legal, safety, and coordinative responsibilities of the assignments, including dealing with the public.

Training for employees who predominantly deal with citizens (i.e., communications personnel or personnel assigned to information posts or the "front counter") should stress not only the skills necessary to perform the technical aspects of their

jobs but also the importance of the link they provide between the citizen and the agency, which often shapes a citizen's opinion of the agency.  
(M M M M M M)

**33.7.3** A written directive governs annual retraining for all civilian personnel.

**Commentary:** The agency should provide annual retraining for all civilian personnel. This training should be designed to update skills and to increase knowledge for new job responsibilities.  
(O O O O O O)

## Appendix A

### Standard 33.4.4

- *Law Enforcement Role, Responsibilities, and Relationships (History of Law Enforcement; Agency Role and Authority; the Criminal Justice System; Mission; Goals and Objectives of the Agency; Agency Organization; Community Relations; Ethics in Law Enforcement).*
- *Administration (Agency Written Directive System; Agency Recordkeeping; Agency Policies; Procedures; Rules and Regulations; Civil and Criminal Liability).*
- *Operations (Constitutional Law; Criminal Law, Laws of Arrest; Alternatives to Arrest; Probable Cause; Rules of Evidence; Identification of Evidence; Search and Seizure; Laws of Interrogation and Interrogation Techniques; Warrants, Summonses, and Subpoenas; Civil Process; Juvenile Law; Court System; Prosecutorial Functions; Moot Court and Courtroom Demeanor; Techniques of Stopping Violators, Arresting Subjects, Handling and Processing Prisoners; Uncooperative Subjects; Patrol Observation; Domestic Disputes; Crisis Intervention and Conflict Management; Searches of Persons, Vehicles, Buildings, Premises, and Property; Crimes in Progress; Crowd Control; Hostage and Barricade Situations; SWAT Operations; Hazardous Materials Incidents; Drug and Alcohol Abuse; Crime Prevention; Communications Skills; Victim/Witness Assistance; Juvenile Operations; Preliminary Investigation; Motor Vehicle Code; Traffic Accident Scene Management and Investigation; Traffic Direction and Control; Driving While Intoxicated; Driver Safety Education for Officers; Crime Scene Investigation; Collection and Preservation of Evidence; Interviews and Interrogations; Fingerprint Identification; Crime Laboratory Functions; Surveillance; Narcotics; Special Investigative Matters—Sexual Assault, Homicides, Suicides, and Child and Spouse Abuse; Organized and White Collar Crime; Emergency Medical Training, including cardiopulmonary resuscitation; Use of Firearms, including range qualification and policies on when to shoot and not to shoot; Use of Force, including limitations on the use of force in general and the use of deadly force in particular; Physical Training, including fitness conditioning; Patrol Vehicle Oper-*

*ation; Defensive Driving; Pursuit Driving; Mechanics of Arrest; Officer Safety; Handling Personal Stress).*

- *Auxiliary and Technical Services (Report Writing, Field Note-Taking, Detention Facility Procedures; Central Records Procedures; Communications Procedures; and Evidence and Property Management Procedures).*

## Glossary

### TOPICAL AREA: TRAINING

**ACADEMY:** A facility at which agency training programs are conducted; usually houses classrooms, gymnasium, library, and offices for academy instructors and staff. Other facilities, such as a firing range and driver-training track, are usually considered to be part of the academy but may not necessarily be located at the same site. The academy may be located at or near headquarters, on the campus of an institution of higher education, or at some other location.

**ADVANCED TRAINING:** Training often held outside the agency and designed to impart higher level supervisory and management skills to participants. Participants who are most often chosen for such training possess above average leadership skills. Examples of advanced training programs are those provided by the FBI National Academy, the Southern Police Institute, and the Northwestern University Traffic Institute.

**COURSE:** A body of prescribed study about a specific topic.

**CURRICULUM:** A series of courses related to a specific kind of training program.

**FIELD TRAINING:** A structured and closely-supervised program provided to recruit officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

**FIELD TRAINING OFFICER (FTO):** An officer who has been carefully selected and trained to deliver the field training program to recruit officers.

**IN-SERVICE TRAINING:** Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and roll-call training.

**JOB TASK ANALYSIS:** A systematic examination of the functions and objectives of each job-related task to be performed as they relate to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

**LESSON PLAN:** A detailed guide from which an instructor teaches. The plan includes the goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

**ON-THE-JOB TRAINING:** Instruction or training provided to an employee by another employee or employees on a tutorial basis during a tour of duty

while the trainee performs normal activities of employment.

**OUTSIDE ACADEMY:** An academy not operated by the agency, such as a regional or state training academy providing recruit, in-service, or specialized training.

**PERFORMANCE OBJECTIVES:** Statements of operational behavior required for satisfactory performance of a task, the conditions under which the behavior is usually performed, and the criteria for satisfactory performance.

**RECRUIT/BASIC/ENTRY-LEVEL TRAINING:** The orientation of new officers to their jobs and the development of basic law enforcement skills.

**REMEDIAL TRAINING:** Personalized training to correct a specific deficiency, which is usually identified by either (1) testing or other evaluation during training or (2) supervisory evaluation during routine job performance.

**ROLL-CALL TRAINING:** Training or informational

sessions of short duration administered to law enforcement officers just prior to, or after, their tour of duty.

**SKILLS, KNOWLEDGE, AND ABILITIES (SKA):** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**SPECIALIZED TRAINING:** Training to enhance skills, knowledge, and abilities beyond the level taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training and may also include technical and job-specific subjects (e.g., homicide investigation, fingerprint examination, juvenile investigation, etc.).

**SWORN OFFICER:** A commissioned law enforcement officer, subject to an oath of office and possessing those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction.

# 34

## PROMOTION

Promotion denotes vertical movement in the organizational hierarchy from one rank classification or position to another, usually accompanied by increases in salary. These standards are designed to improve the validity of the process and make the system less susceptible to court challenge.

The evaluation and selection of personnel for promotion begin with the identification of employees who appear to have the potential for assuming greater responsibility and who possess the skills, knowledge, and abilities (SKA) required to perform at that level. According to the standards, decisions about promotion (as with other aspects of personnel management) must be based upon a written job task analysis of all positions in the agency. Performance evaluations, if used to determine eligibility for promotion, must meet the requirements of validity (job relatedness), utility (usefulness), and minimum adverse impact (fairness). The establishment of job-related criteria and procedures for evaluating the performance potential of every employee seeking promotion is viewed as a necessary element of the personnel system.

An oral interview and medical examination should be conducted, using job-related, useful, and nondiscriminatory procedures for all employees prior to promotion. Eligibility lists and written tests, if any, should also meet the same requirements of validity, utility, and minimum adverse impact. If the agency uses a written test for promotion, a bibliography of reading materials used as the sources for questions should be provided to each employee seeking eligibility. A probationary period of at least six months is required of all employees who are promoted.

Finally, if assessment centers are used, they must make use of standardized evaluations of behavior and capabilities based on multiple elements. Under this technique candidates are evaluated in a group setting by a team of trained assessors; multiple exercises enable assessors to measure skills, knowledge, and abilities, which often evade traditional means of testing and evaluation.

### 34.1 Professional and Legal Requirements

**34.1.1** *A written directive defines the agency's role in the promotion process.*

**Commentary:** The law enforcement agency may rely upon a state or local civil service commission or other public or private external organization to administer or provide one or more elements of the process in accordance with legal, professional, and administrative requirements. Where a centralized personnel agency exists, the directive should govern the responsibilities retained by the law enforcement agency's chief executive officer for the promotion of personnel. The agency should have a role in the development of the measurement instruments that are used in determin-

ing the skills, knowledge, and abilities of employees for positions. (M M M M M M)

**34.1.2** *A written directive vests in an identifiable position the authority and responsibility for administering the agency's role in the promotion process.*

**Commentary:** Although the written directive should identify a position responsible for the administration of the promotion process, a specific person may be designated. The person identified as the administrator of the process should have the authority to manage effectively its operation and direction. If responsibility is shared with or vested in another agency (e.g., a civil

service commission), the law enforcement agency should perform appropriate liaison activities to carry out the process. Even when authority is shared, the law enforcement agency should maintain the primary responsibility for oral interviews and administration of all employees' probationary periods. (M M M M M M)

**34.1.3** *The agency maintains a manual governing the procedures used for promotion, including those for:*

- *evaluating the promotional potential of candidates;*
- *administering written tests (if any);*
- *determining promotional eligibility for vacancies where lateral entry is permitted;*
- *conducting oral interviews prior to appointment to probationary status; and*
- *defining exceptions to the probationary period.*

**Commentary:** The manual should describe all elements used in the promotional process and may be incorporated within a comprehensive personnel management or general policy and procedures manual. Promotional potential ratings should replace or supplement on-the-job performance evaluations and may be used to determine an employee's initial eligibility for promotion or for ranking candidates on a list. Written examinations (including answer keys, cut-off scores, passing points, and/or numerical rankings) may be administered for each classification, position, or rank. Promotional criteria for lateral entry may include both eligibility qualifications and formal procedures for carrying out the process. Oral interviews should include uniform questions and rating scales and assess a defined set of personal attributes; the interview results should be recorded on a standardized form. An extended or adjusted probationary period could give the agency an opportunity to provide employees with remedial services, such as professional counseling or specialized instruction. (M M M M M M)

**34.1.4** *The procedures used for promotion are job related and nondiscriminatory.*

**Commentary:** The courts and regulatory authorities have indicated that the promotion process is an integral part of an agency's total selection process and, accordingly, must meet the legal, professional, and administrative requirements for selection procedures used at the entry level. The promotion process as a whole and its individual components and procedures are subject to statistical proof and documentation and must satisfy professional, legal, and administrative require-

ments designed to ensure that validity, utility, and minimum adverse impact have been achieved in selecting employees for promotion. (See standards 32.1.1 through 32.2.6.) (M M M M M M)

**34.1.5** *If the agency uses written tests in the promotion process, an updated bibliography of reading materials used as the sources of questions is provided to each candidate.*

**Commentary:** Bibliographies serve as a guide to studying and assist employees by helping to direct their attention to the best sources available. Bibliographies should be prepared and periodically revised by representatives of the agency, the civil service commission, if any, and the training academy. Questions should be restricted to material covered in the referenced sources. (M M M M M M)

**34.1.6** *The agency provides employees with a written announcement of the promotional process, which includes, at a minimum:*

- *a description of the positions or job classifications for which vacancies exist;*
- *a schedule of dates, times, and locations of all elements of the process;*
- *a description of eligibility requirements; and*
- *a description of the process to be used in selecting personnel for the vacancies.*

**Commentary:** Announcements should be posted prominently and in a timely fashion and be augmented by periodic verbal reminders at staff meetings, conferences, and roll-call sessions. A concise description of the vacancy should be provided, including the salary and the duties, responsibilities, skills, knowledge, and abilities required. Eligibility should be established during a formal qualifying period that continues until the closing date of the announcement, until the closing date for submitting a completed application, or until the date of the first scored part of the process (e.g., for a written examination). The description of the promotion process should be as detailed as is necessary to indicate clearly to candidates what they can expect. Information should include expected duration of the entire process; format, length, and duration of the written examination, if any; a summary of the role of the oral interview; cut-off scores on written and oral evaluations; a description of the assessment center, if any; and the numerical weight assigned to each element of the process. (M M M M M M)

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

- the numerical weight, if any, assigned to each eligibility requirement;
- the system of ranking eligible employees on the lists; and
- time-in-grade and/or time-in-rank eligibility requirements, if any.

**Commentary:** The establishment of eligibility lists for promotion generally follows either of two basic patterns: a high proportion of eligible employees appear on the list but a small proportion are appointed to vacancies or a small proportion appear on the list but a high proportion of those on the list are appointed to vacancies. Eligibility may be based upon such elements as a written examination, job-related experience, supervisory evaluation of employee performance in the current position, supervisory evaluation of promotion potential, oral and medical examinations, sick leave and disciplinary record, education, assessment center evaluation, and participation in the agency's career development program (see standards 23.1.1 through 23.3.13).

(M M M M M M)

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

- the duration of the lists;
- written certification of eligible employees;
- the system for selecting names from the lists; and
- a written explanation of the reason or reasons for appointing eligible employees to vacancies.

**Commentary:** Names may be chosen in strict order of their ranking on the list or from among the first several names appearing on the list; so-called "horizontal lists" permit names to be chosen in any order. A written explanation should accompany appointment decisions based upon the ranking on the list. (M M M M M M)

## 34.2 Administrative Practices and Procedures

**34.2.1** At least a six-month probationary period is required of all employees who are promoted.

**Commentary:** The agency should include a probationary period among the final steps in the process as a safeguard against the promotion of employees beyond their capability, safeguard consistent with selection procedures for entry-

level officers. Employees on probation should be closely observed and frequently and strictly rated. As early as possible during the probationary period, unsatisfactory incumbents should be alerted about their need for improvement and told that lack of improvement would be cause for return to their former rank or status.

(M M M M M M)

**34.2.2** A written directive establishes procedures for the review and appeal by employees of adverse decisions concerning their eligibility for or appointment to promotional vacancies and includes, at a minimum:

- review of the answer key to written examinations, if any;
- review of the written results of scored elements of the selection process;
- contesting promotional-potential reports used in the selection decision; and
- reapplication, retesting, and/or reevaluation.

**Commentary:** The right of employees to challenge any aspect of the promotion and advancement process is an integral part of the process itself. A formal process should allow employees an opportunity not only to register their dissatisfaction with the results of specific components of the process but also to have adverse selection decisions formally reviewed by the agency and/or central personnel agency. The administrative review and appeal procedures may be conducted by an independent review panel consisting of representatives from within and outside the agency. An impartial review and appeal process should reduce or eliminate litigation.

(M M M M M M)

**34.2.3** The promotional process is evaluated annually and revised, if necessary.

**Commentary:** The entire process should be evaluated in terms of its effectiveness relative to selecting the best qualified candidates in a fair and equitable manner. Elements of the process may become obsolete or have unintended effects over time due to changes in the applicant pool, reclassification of positions, new technology used on the job, or other developments occurring after the process was implemented. All circumstances concerning the evaluation of validity, utility, and adverse impact should be considered in determining when one or more components of the process are outdated. (M M M M M M)

### 34.3 Assessment Centers

#### 34.3.1 An assessment center, if utilized:

- *measures dimensions, attributes, characteristics, qualities, skills, abilities, or knowledge specified in a written job task analysis;*
- *uses multiple assessors who are thoroughly trained prior to participating in a center;*
- *uses techniques designed to provide information which is used in evaluating the dimensions, attributes, or qualities previously determined;*
- *uses multiple assessment techniques, one of which is a simulation;*
- *uses simulation exercises that have been pre-tested prior to use to ensure that the techniques provide reliable, objective, and relevant information and that the exercises are job related;*
- *bases judgments resulting in an outcome on pooled information from assessors and techniques;*
- *bases overall evaluation of behavior made by assessors at a separate time from observation of behavior during the exercises;*
- *announces the dimensions to be evaluated in a written directive;*
- *uses a form or forms to record and document the observations of assessors at each stage of the process; and*
- *provides participants, upon request, with written rationale and information concerning the dimensions, ratings, and recommendations of the center.*

**Commentary:** The first seven requirements of the standards are based on *Standards and Ethical Considerations for Assessment Center Operations* as adopted by the Seventh International Congress on Assessment Center Method, meeting in New Orleans, Louisiana, June 6-8, 1979.

A variety of standard (though sensitive) dimensions measured in an assessment center can have an important impact upon personnel decisions. These may include oral communications, self-confidence, forcefulness, self-control, persuasiveness, flexibility, mental alertness, analytical ability, leadership, energy level, creativity, need for approval of superiors, need for peer approval, resistance to stress, decision making, planning and organizing, awareness of social environment, and written communication. Candidates are entitled to know the analytical basis of such assessment criteria.

Evaluation of candidates should be based upon information gathered from a number of methods.

These include group discussions, in-basket exercises, speech and writing exercises, analytical problems, paper-and-pencil tests, management games, psychological tests, role-playing, personal interviews, peer group evaluations, and simulation exercises. In the course of the various exercises, assessors use a formal, in-depth process to record results for individual candidates. The pooling of data enables a consensus to be reached prior to preparation of the final report. This reduces or eliminates the impact of a single person's bias for or against a candidate being evaluated. If several techniques and multiple assessors are used but the data are not pooled, the evaluation does not qualify as an assessment center.

The ratio of trained assessors to candidates is important. One assessor per two candidates is ideal, although in some cases, a higher ratio can be effective if carefully planned and the assessors are experienced. Unless at least two assessors are employed, use of the term "assessment center" is not justified. Assessor training is very important. All assessors should, at a minimum, demonstrate the ability to (1) administer the exercises and techniques used in the assessment center; (2) recognize, observe, and report the behaviors measured and evaluated in the center; and (3) classify candidate behaviors into appropriate job-related skills, knowledge, and abilities.

(M M M M M M)

## Glossary

### TOPICAL AREA: PROMOTION

**ASSESSMENT CENTER:** Consists of a standardized evaluation of behavior based on multiple inputs. Multiple trained observers and techniques are used. Judgments about behavior are made, in part, from specially developed assessment simulations. These judgments are pooled by the assessors at an evaluation meeting during which assessment data are reported and discussed and the assessors agree on the evaluation of the dimension and any overall evaluation that is made.

**SIMULATION:** An exercise or technique designed to elicit behaviors related to dimensions of performance on the job; requires the participants to respond behaviorally to situational stimuli that parallel or resemble stimuli in the work situation. Examples of simulations include group exercises, in-basket exercises, interview simulations, fact-finding exercises, etc.

**SKILLS, KNOWLEDGE, AND ABILITIES (SKA):** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

# 35

## PERFORMANCE EVALUATION

To achieve its stated objectives, a law enforcement agency must be able to depend on satisfactory work performance from all employees. Performance evaluation is the measurement of the worker's on-the-job performance of assigned duties by the employee's supervisor. This section deals with the principles of performance evaluation and the manner in which it should be carried out, whether structured or not.

There is a direct relationship between performance evaluation and the subjects dealt with in other chapters, particularly those on recruitment, selection, career development, promotion, classification, and grievance procedures. This relationship is based on the fact that the nature and quality of the employees' performance have a bearing on their working life in the agency; on the manner in which they relate to management; and on their assignments and promotions.

Performance evaluation in the law enforcement field varies considerably. In many of the larger agencies, the process is structured and involves the use of comprehensive forms. In others, especially in smaller agencies, the process may be less structured and informal. Centralized personnel agencies will usually have requirements for performance evaluation of all employees within their jurisdictions.

It is important that the principles of evaluation be applied by all agencies to ensure the best use of human resources available, to ensure that personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of each employee.

Constant attention by the chief executive officer is needed to eliminate personal error and biases on the part of the raters. The key to successful operation of the performance evaluation system will always be the chief executive officer, who must monitor its functioning to ensure that it is fair and impartial and is achieving established objectives consistent with sound personnel management.

### 35.1 Organization

**35.1.1** *A written directive defines objectives of the performance evaluation system.*

**Commentary:** The purposes of an evaluation system serve both management and the individual employee. Essentially, these are to (1) foster fair and impartial personnel decisions; (2) maintain and improve performance; (3) provide a medium for personnel counseling; (4) facilitate proper decisions regarding probationary employees; (5) provide an objective and fair means for measurement and recognition of individual performance in accordance with prescribed guidelines; and (6) identify training needs. (M M M M M M)

**35.1.2** *A written directive defines the agency's performance evaluation system and includes at a minimum:*

- *measurement definitions*
- *procedures for use of forms*
- *rater responsibilities*
- *rater training*

**Commentary:** A central personnel agency may or may not incorporate performance evaluation as a part of its management activities. Where it does, some features of the evaluation system may not suit the needs of the law enforcement agency. Although policies and procedures may be developed by a centralized agency, it remains the responsibility of the chief executive officer to adapt and amplify those guidelines to meet the agency's needs. (M M M M M M)

**35.1.3** *A written directive requires an annual performance evaluation of each employee.*

**Commentary:** The purposes of performance evaluation are to (1) standardize the nature of the personnel decision-making process; (2) ensure the public that the agency's personnel are qualified to carry out their assigned duties; (3) provide job incumbents with necessary behavior modification information to allow them to maintain behaviors that are appropriate from the agency's standpoint and to eliminate inappropriate behaviors.

Each agency may require more frequent evaluation reports to ensure that the objectives of the system are reached. (M M M M M M)

**35.1.4** *The evaluation of each employee's performance is documented.*

**Commentary:** Since personnel performance evaluation is a basic management instrument, the results are valuable to all supervisors. A record of supervisor-employee communication on the latter's performance protects the employee's rights and prevents misunderstanding. (M M M M M M)

**35.1.5** *Evaluation of the employee's performance covers a specific period.*

**Commentary:** Evaluation reports may be regular periodic reports or interim reports for varying reasons. The actual dates covered by the evaluation, shown on the face of the report, are required to provide a continuity of the record of performance during a specified period. (M M M M M M)

**35.1.6** *A written directive states that performance evaluations are based only on performance during the rating period.*

**Commentary:** Performance of the employee prior to or following the rating period should be excluded in the rating for that period. (M M M M M M)

**35.1.7** *Criteria used for performance evaluation are specific to the position occupied by the employee during the rating period.*

**Commentary:** The employee should be rated for performance in the position held during the rating period. Tasks of the position, as set forth in the job description, form the basis for the description of what work is to be performed. Criteria used to define the quality of work should be descriptive, measurable, and allow a characterization regarding how the work is performed. (M M M M M M)

**35.1.8** *A written directive requires that each performance evaluation report is reviewed and signed by the rater's supervisor.*

**Commentary:** A key management requirement in ensuring the fairness and objectivity of the ratings given is for a reviewing officer to be prepared to comment on the rating officer's performance in order to ensure the uniform application of ratings by subordinate raters and to ensure the fairness and validity of the system. (N/A M M M M M)

**35.1.9** *A written directive specifies that the employee will be given the opportunity to sign the completed performance evaluation report to indicate the employee has read it.*

**Commentary:** Each evaluation report on an employee's performance should be read and understood by the employee. The signature should indicate only that the employee has read the report and should not imply agreement or disagreement with the contents. If the employee refuses to sign, the supervisor should so note and record the reason or reasons, if given. (M M M M M M)

## 35.2 Management

**35.2.1** *A written directive specifies that employees are rated by their immediate supervisor.*

**Commentary:** The supervisor of rated employees is the person most familiar with their performance and able, therefore, to evaluate performance most accurately. This responsibility should not be delegated. Employees may have been supervised by more than one supervisor during a reporting period. In this case, the rating supervisor should confer with the other supervisors. (M M M M M M)

**35.2.2** *A written directive states that raters are to be evaluated by their supervisors regarding the quality of ratings given employees.*

**Commentary:** Supervisors should evaluate raters regarding the fairness and impartiality of ratings given, their participation in counseling rated employees, and their ability to carry out the rater's role in the performance evaluation system. The supervisor should ensure that the raters apply ratings uniformly. (N/A M M M M M)

**35.2.3** *A written directive governs the agency's utilization of the results of performance evaluations.*

**Commentary:** An employee's performance, as defined in the evaluation reports, provides information concerning suitability for assignment, training needs, ability to assume more responsibilities, and effectiveness in the assigned posi-

tion. Other chapters deal with advancement, career development, and promotion. Evaluation reports form the key resource for actions to be taken by management in these areas.

(O O O M M M)

**35.2.4** *A written directive requires a review process for contested evaluation reports.*

**Commentary:** A review process, short of the agency's full grievance process and beyond the review of the immediate supervisor of the rater, should be established to permit review of the ratings given when protested by the employee.

(O O O M M M)

**35.2.5** *A written directive requires the retention of performance evaluation reports.*

**Commentary:** The retention schedule should be consistent with applicable legislation or civil service regulations. Where these do not exist, a period of three years is recommended.

(O O O M M M)

**35.2.6** *A written directive requires an annual inspection of the performance evaluation system.*

**Commentary:** The commitment of the chief executive officer to the performance evaluation system should be supported by an inspection, at least yearly, to determine how well the system functions. The objectives of such an inspection should be to identify instances of extreme ratings and the reasons for them and the number of contested appraisals and the reasons for them.

(O O O M M M)

### 35.3 Utilization

**35.3.1** *A written directive requires a written performance evaluation report on all probationary employees at least bimonthly.*

**Commentary:** A separate set of criteria is important in the rating of personnel on probation in order to determine, at the earliest point, their suitability for continued employment. The principal objective of supervisors rating probationary employees is to ascertain whether they can actually perform the required functions. Performance should be closely monitored, and written evaluations should be a part of this process.

(M M M M M M)

**35.3.2** *A written directive requires that each employee be counseled at the beginning of the rating period concerning:*

- *tasks of the position occupied*

- *level of performance expected*

- *evaluation rating criteria*

**Commentary:** It is essential to the success of the system that the employee fully understand specific duties and responsibilities of the position and what is expected of the employee in carrying these out. It is expected also that counseling by the rater regarding performance of the employee will occur at any time during the rating period deemed necessary. (M M M M M M)

**35.3.3** *A written directive requires that employees be advised in writing whenever their performance is deemed to be unsatisfactory and that the written notification be given to them at least 90 days prior to the end of the rating period.*

**Commentary:** The supervisor should be prepared to substantiate ratings at the unsatisfactory level, to advise the employee of unsatisfactory performance, and to define actions that should be taken to improve his or her performance. If unsatisfactory performance continues, this information should be included in the evaluation report at the end of the 90-day period. Some flexibility concerning the 90-day period is allowable if the spirit of the standard is observed.

(M M M M M M)

**35.3.4** *A written directive requires explanatory comments when performance ratings are unsatisfactory or outstanding.*

**Commentary:** Raters should be prepared to substantiate ratings in the lowest or highest categories and give specific reasons for the ratings through a narrative comment.

(N/A O M M M M)

**35.3.5** *A written directive specifies procedures for employee review of the completed evaluation report, and includes:*

- *interview between rater and employee; and*
- *provision for written comments by employee.*

**Commentary:** A performance evaluation system should include the participation of the employee in the process. This should contribute to the fairness and objectivity of the system.

(M M M M M M)

**35.3.6** *A written directive requires that a copy of the completed evaluation report be provided to the employee.*

**Commentary:** As a full participant in the evaluation process, it is important that the employee be given a copy of the performance evaluation report. (O M M M M M)

## **Glossary**

**TOPICAL AREA: PERFORMANCE EVALUATION**

**BIMONTHLY:** Every other month; every second month.

**COUNSELING:** The giving of advice; advising. As used: discussions between the rated employee and rater leading to advice to the former concerning performance.

**PERFORMANCE:** Something done or performed. As used: actions taken or omitted with regard to specific tasks or assignments.

**RATED EMPLOYEE:** The employee whose performance is evaluated by a rater.

**RATER:** The supervisor who evaluates the performance of a subordinate employee.

**RATING:** The estimate of the value, worth, strength, capacity of, etc.; appraisal. As used: an indication of the quality of performance or attributes.

**REVIEWING OFFICER:** The person, normally the rater's supervisor, who is responsible for ensuring the completeness of the evaluation report and the fairness, objectivity, and lack of bias on the part of the rater in measuring performance of the employee.

**UNSATISFACTORY PERFORMANCE:** Employee behavior or work performance that is substandard and may lead to disciplinary action.

# 41

## PATROL

Standards in this chapter relate to the organization, administration, and operations of the patrol component of a law enforcement agency.

The word "patrol" is used here in its broadest sense. It is considered to be a primary law enforcement function and embraces much more than the act of patrolling. It is defined as a generalized function in which officers engage in a wide variety of activities.

The standards emphasize administrative considerations, such as the organization, assignment, scheduling, and effective use of patrol resources, as well as actual operational practice.

Standards in 41.1 concern the definition of the patrol function, organization of the patrol component, establishment of patrol objectives, procedures for coordination of patrol with other agency functions, scheduling and assigning officers, roll call, and procedures that encourage optimum use of manpower.

Standards in 41.2 relate to operational patrol practices and include standards concerning preliminary investigations, field interrogation, use of informants, identification of hazards, communications, and techniques for improving patrol productivity.

### 41.1 Organization and Administration

**41.1.1** *A written directive establishes the functions of the patrol component.*

**Commentary:** A clear definition of function enables officers to know what actions are in concert with agency policy and thus facilitates the delivery of services to the community. It is suggested, however, that the responsibilities be described for at least the major job tasks in the patrol force, which may include the following: (1) preventive patrol (including inquiry and inspectional activity) oriented toward prevention of crimes and accidents, maintenance of public order, and the discovery of hazards and delinquency-causing situations; (2) crime prevention activities; (3) response to called-for services; (4) investigation of crimes, offenses, incidents, and conditions, including arresting offenders; (5) traffic direction and control; (6) regulation of certain businesses or activities as required by law; (7) maintenance of public order; (8) provision of emergency services; (9) development of relationships between citizens and the agency; and (10) reporting of information to appropriate organizational components. (M M M M M M)

**41.1.2** *The agency has established written objectives relating to the performance of the patrol component.*

**Commentary:** Objectives should be reasonably attainable, quantifiable, and measurable and should be restated and reviewed at least annually. Objectives should be in written form and disseminated to all employees within the patrol component. The listing of functions of the patrol component required by standard 41.1.1 may be useful in establishing objectives. (O O O O O O)

**41.1.3** *A written directive establishes procedures for communication, coordination, and cooperation between patrol and other agency components.*

**Commentary:** The patrol component should encourage and support the exchange of information with specialized and support components for the purpose of coordinating performance. There are a number of ways to communicate information, such as (1) attendance of investigative supervisors at patrol roll calls or staff meetings and vice versa, (2) exchange of daily bulletins, and (3) "staffing" of new divisional directives by allowing review by supervisors in other components. (O O O O O O)

**41.1.4** *Law enforcement response to emergencies is available 24 hours a day, every day of the week within the agency's service area.*

**Commentary:** The intent of this standard is to provide the community with basic law enforcement services. Members of the public should be able to contact a law enforcement agency at any time and receive immediate response to emergency situations. This does not require 24-hour preventive patrol but rather the resources necessary to handle emergency calls. When the agency itself is unable to provide 24-hour emergency response, this service should be provided through arrangement with a nearby agency.

(M M M M M M)

**41.1.5** *In those agencies maintaining 24-hour coverage, procedures for shift change provide for continuous patrol coverage.*

**Commentary:** To provide patrol coverage at all times, shift changes should be staggered, such as 15 to 30 minutes before or after the hour, for a substantial percentage of officers on a given shift. This standard does not apply to those situations in which officers do not report to a facility for duty (e.g., resident state troopers and deputy sheriffs). (O O M M M M)

**41.1.6** *A written directive specifies procedures for assigning officers to patrol shifts.*

**Commentary:** A single method for assigning officers to shifts should be developed and followed consistently. A uniform procedure, whether it is governed by seniority, officer choice, or agency choice, helps to ensure impartiality in the decision-making process. In any event, however, agency management should retain the final authority to assign officers to shifts in order to provide effective coverage.

(O O O O O O)

**41.1.7** *A written directive specifies criteria to be considered in assigning officers to beats.*

**Commentary:** The written directive should provide for the assignment of officers to beats in order to affix accountability for providing law enforcement services within the beat.

(O O O O O O)

**41.1.8** *A written directive governs the frequency of beat rotation, if any.*

**Commentary:** The intent of this standard is to encourage an agency to specify the period of time that an officer is assigned to a particular beat. This practice enables an officer to become better acquainted with persons, businesses, organizations, and hazards on the beat and also helps place responsibility for the events occurring in that beat on a specific officer.

(O O O O O O)

**41.1.9** *A written directive governs the frequency of shift rotation, if any.*

**Commentary:** The intent of this standard is to encourage an agency to specify the period of time that officers are assigned to particular shifts. This standard does not endorse either rotating or permanent shifts but simply calls for the specification of time to be spent on each shift before a rotation is made, or, in the case of permanent shifts, before making the next reassignment decision. A schedule establishing the frequency of rotation allows an officer to arrange off-duty time accordingly. (O O O O O O)

**41.1.10** *A written directive specifies the span of control for a first-line patrol supervisor.*

**Commentary:** The intent of this standard is to help ensure adequate supervision, guidance, and coordination of patrol officers. The standard applies to officers assigned to patrol car beats, foot beats, one-person or two-person cars, or to various combinations thereof, generally not to exceed 8 beats or 12 employees.

(O O O O O O)

**41.1.11** *A written directive specifies procedures for determining days off for patrol officers and first-line patrol supervisors.*

**Commentary:** The intent of this standard is to encourage the development of a systematic procedure for determining days off. The system should provide an impartial basis for selection of days off and should provide for scheduling of days off in accordance with daily workload requirements so that there is maximum coverage on days requiring it. (O O O O O O)

**41.1.12** *A written directive governs the frequency and procedures for roll call.*

**Commentary:** Roll call shall accomplish, at a minimum, the following four basic tasks: (1) briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations; (2) notifying officers of changes in schedules and assignments; (3) notifying officers of new directives or changes in directives; and (4) evaluating officer readiness to assume patrol. If officers do not report for duty to a facility (e.g., resident state troopers, deputy sheriffs, etc.), roll call shall be accomplished by other means of communication. (M M M M M M)

**41.1.13** *A written directive requires patrol officers who are assigned to vehicles used for transporting*

prisoners to be engaged in other law enforcement activities when not transporting prisoners.

**Commentary:** To utilize manpower and equipment more efficiently, patrol officers assigned to prisoner transport vehicles should engage in other activities that do not detract from their primary responsibilities. (O O O O O O)

**41.1.14** *If the agency has any special-purpose vehicles or fixed- or rotary-wing aircraft, a written directive governs their operation and includes, at a minimum, the following provisions for each kind of vehicle or aircraft:*

- a statement of the objectives of their operation or usage;
- instructions, conditions, and limitations of usage;
- authorization for use in various situations;
- qualifications and training for personnel assigned to operate the vehicle or aircraft;
- designation of person or position responsible for the condition and maintenance of the vehicle or aircraft;
- a listing of equipment, if any, to be kept in or on the vehicle or aircraft; and
- a listing of persons or positions authorized to operate the vehicle or aircraft and its equipment.

**Commentary:** The intent of this standard is to establish guidelines for the operation of all special-purpose vehicles or aircraft utilized by the agency. Unmarked vehicles are not included in the definition of special-purpose vehicles. (M M M M M M)

**41.1.15** *A written directive designates the methods used for identifying officers during radio transmissions.*

**Commentary:** The intent of this standard is to encourage identification systems based on (1) beat numbers or other assignment numbers, (2) officer identification numbers, or (3) a combination of the two. If radio identification is based on vehicle numbers (e.g., numbers assigned to the vehicle for inventory purposes), confusion may result when vehicles have to be changed in the middle of the shift—for example, when a vehicle breaks down. (O O O O O O)

**41.1.16** *A written directive specifies the procedure for radio communication with interacting agencies.*

**Commentary:** A uniform code facilitates communication, cooperation, and coordination among different agencies operating within the same general area. It is recommended that clear speech

communication along with the Ten Signal Code be considered for use by the agency. (O O O O O O)

**41.1.17** *A written directive specifies criteria for the assignment of the number of officers in response to an incident.*

**Commentary:** Some calls may require response by several officers if the problem is to be dealt with effectively and safely. A classification procedure should be developed that lists possible situations requiring response from at least two officers and should be based on the actual or potential presence of one or more of the following factors: (1) an assault on an officer, (2) on-scene arrest for a felony or violent misdemeanor, (3) resistance to arrest, (4) use of force, (5) a crime in progress, or (6) a fleeing suspect.

The procedure should be made available to all radio dispatchers. (O O O O O O)

**41.1.18** *If the agency uses foot patrol beats, a written directive specifies the criteria for their deployment.*

**Commentary:** Before deploying foot patrol beats, the agency should conduct a thorough examination into the need for such patrols. The criteria should include the following factors, at a minimum: (1) the need for frequent inspections, such as in business and commercial areas, and (2) a high concentration of calls for services involving pedestrians or other persons on foot on the street.

This standard does not apply to fixed foot posts deployed for traffic control, parades, special events, security details, or crowd control. (O O O O O O)

**41.1.19** *If the agency uses horses or two- and/or three-wheeled vehicles, a written directive specifies the criteria for their deployment.*

**Commentary:** Horses, lightweight motorcycles, scooters, mopeds, and bicycles may, under some circumstances, be used effectively in patrolling in that they combine mobility with the close citizen contact provided by foot patrol. Examples of conditions or situations that may be used to justify horses or two- or three-wheeled patrol vehicles are as follows: (1) the existence of a number of separate locations, each of which could logically be patrolled on foot but would be too small to justify a foot patrol beat; (2) the need for patrol of parks, trails, or other terrain not suited for conventional patrol cars; and (3) requirements for parking enforcement, control of loitering in off-road locations, or fast response time. (O O O O O O)

**41.1.20** *If the courts in an agency's service area permit the use of written reports, sworn affidavits, or complaints at preliminary court proceedings or arraignments in lieu of an officer's presence, the agency uses such a system.*

**Commentary:** The intent of this standard is to increase the amount of time an officer can devote to other patrol activities. The requirement that arresting officers appear at initial court proceedings or arraignments, especially when defendants plead guilty, results in a less productive use of patrol officers' time. A court liaison officer within the agency frequently assumes this responsibility. (O O O O O O)

**41.1.21** *If the agency has a system for receiving specified crime and incident report information by telephone or through the mail, in lieu of on-scene response by an officer, a written directive specifies the criteria for acceptance.*

**Commentary:** The intent of this standard is to improve the use of patrol time. Some crime calls do not require the dispatch of a patrol officer and can be effectively handled by receiving information in an alternative manner. The agency should develop a procedure for taking information by telephone, including a list of call types that can be dealt with in an alternative manner. (O O O O O O)

**41.1.22** *A written directive describes the circumstances that require the presence of a patrol supervisor at the scene for the purpose of assuming command.*

**Commentary:** Incidents of a serious nature often arise that require the presence of a supervisor who possesses the authority necessary to deal with the problem. (M M M M M M)

## 41.2 Operations

**41.2.1** *A written directive establishes the categories of crimes and incidents that should receive preliminary investigation by patrol officers.*

**Commentary:** The single most important determinant in solving a crime is the information supplied by the victim or witnesses to the immediately responding patrol officer. In general, patrol officers should conduct the preliminary investigation of most cases. In unusually serious or complex crimes, the preliminary investigation may be conducted by specialists. Investigation of certain other crimes may require the presence of investigators in plain clothes during the initial investigation. The circumstances calling for early

involvement of specialists should be clearly described by the agency. (O O O O O O)

**41.2.2** *A written directive governs the conduct of follow-up investigations by patrol officers.*

**Commentary:** The purpose of this standard is to increase the effectiveness of patrol officers, to enhance their role, and to provide specialized investigators more time to concentrate on complex investigations. The directive should clearly specify which kinds of cases are referred to specialized investigative components. Examples include when the offense appears to be one in a pattern or when investigation is required in widely located areas outside the beat or district in which the offense occurred. (O O O O O O)

**41.2.3** *A written directive governs the conduct of field interviews.*

**Commentary:** A field interview program may deprive actual and potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of crimes. The agency should clearly indicate what constitutes a valid field interview situation to guard against its misuse and to minimize potentially adverse citizen reactions. Field interview contacts should be documented to provide other officers and investigators with information concerning suspicious persons. (O O O O O O)

**41.2.4** *A written directive establishes procedures for the use of informants by patrol officers.*

**Commentary:** Although investigators in specialized organizational components have greater need for informants, use of informants is an important aspect of the patrol officers' job—particularly if the patrol force is given responsibility for conducting certain follow-up investigations. If the use of informants by patrol officers is not covered by directives oriented primarily to specialized investigators, the directive related to this standard should address procedures for developing contacts, notifying supervisors, maintaining confidentiality, developing files, and accounting for money paid, if any, to informants. (O O O O O O)

**41.2.5** *A written directive establishes procedures for identifying potential and actual police hazards that are within the agency's service area.*

**Commentary:** A knowledge of police hazards helps officers perform more effectively. Though hazards may be permanent or temporary and may vary hourly, daily, or seasonally, the agency should attempt to identify as many as possible and should

determine which patrol techniques will most efficiently counteract them. Some of the methods that can be used for disseminating information on hazards include posting information in a central location, publishing a daily bulletin, or announcing hazards at roll call. The directive should provide means for collecting new information, such as through contributions of patrol officers, specialized investigators, and crime analysis units. (O O O O O O)

**41.2.6** *A written directive states that every uniformed officer engaged in a field assignment must have constant access to radio communications.*

**Commentary:** The intent of this standard is to ensure that on-duty uniformed officers have the means for constant radio communication. In most situations, portable transceivers are required to enable officers on foot patrol and those away from their patrol vehicles to maintain communications with the dispatch center for exchanging information, requesting assistance, receiving orders or instructions, and responding to calls for service. In some remote, geographic areas where portable transceivers are ineffective, mobile transceivers may be acceptable. (M M M M M M)

**41.2.7** *A written directive establishes procedures for radio communications to and from patrol officers, including specification of the circumstances requiring radio communications by patrol officers.*

**Commentary:** Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations, the nature of cases, and developments in their investigation. Officers should be required to communicate with a dispatcher upon arrival at the scene of an incident, before they leave their patrol cars, when they make vehicle or pedestrian stops (with provision for giving locations and identifying information for vehicles), when available for service, etc. (M M M M M M)

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

- *evaluating the circumstances*
- *initiating officer's responsibilities*
- *secondary unit's responsibilities*
- *dispatcher's responsibilities*
- *supervisor's responsibilities*
- *forcible stopping*
- *when to terminate pursuit*
- *inter- and intrajurisdictional pursuits*

**Commentary:** The agency must balance the necessity for pursuit or apprehension against the probability and severity of damage or injury that may result. When air units are available, they should be used to direct the movement of the initial pursuing units and any other ground units that may be involved. (M M M M M M)

**41.2.9** *A written directive establishes procedures for responding to routine, urgent, and emergency calls.*

**Commentary:** The agency should classify radio calls as routine, urgent, or emergency. These classifications should permit designation of the seriousness of the call, when the emergency lights and siren should be used, and when the traffic laws should be observed. The directive should address high-speed driving necessary to respond to urgent and emergency calls. In these instances, speeds should be limited unless a life-threatening situation exists and traffic conditions permit a higher speed. (M M M M M M)

**41.2.10** *Vehicles used in routine or general patrol service must be conspicuously marked.*

**Commentary:** Conspicuously marked patrol cars are readily identified as law enforcement agency vehicles from every view and from a long distance, even at night. Conspicuous marking increases safety, serves as a warning to potential violators, and provides citizens with a feeling of security. Markings should include (1) exterior-mounted emergency lights (such as those mounted on rooftop light bars), (2) the agency's name, (3) the emergency telephone number, and (4) reflective materials placed on the sides and rear of the vehicle, such as reflective striping, lettering, or decals.

Vehicles used primarily by investigators in plain clothes for covert purposes or for traffic law enforcement do not have to meet this standard. (O O O O O O)

**41.2.11** *Each vehicle used in routine or general patrol service must be equipped with at least the following equipment in operational order:*

- *red and/or blue and/or white emergency lights*
- *a siren*
- *a mobile radio transceiver.*

**Commentary:** As an emergency vehicle, a patrol car should be equipped with these accessories to increase its effectiveness. It is also recommended that patrol cars be equipped with a public address speaker, exterior spotlights, and alley lights. Patrol vehicles used for covert purposes do not have to meet this standard. (O O O O O O)

**41.2.12** *A written directive specifies the equipment to be included in every patrol car.*

**Commentary:** See standard 63.1.8 for items to be included. Items such as a first-aid kit, blankets, flares, reflective cones, tape measure, fire extinguisher, and others are often needed by a patrol officer to handle emergencies and preliminary investigations effectively. (O O O O O O)

**41.2.13** *A written directive requires the use of occupant safety restraining devices in agency vehicles.*

**Commentary:** The use of seat belts can have a significant effect in reducing the number of deaths and the severity of injuries resulting from traffic crashes and assist officers in maintaining proper control of their vehicles during pursuit or emergency high-speed operations. The directive should require use of occupant safety restraining devices by the driver and all passengers. However, there may be special circumstances in which use of seat belts and/or restraining devices may hamper efficient conduct of law enforcement functions. The directive should authorize supervisors to grant exceptions to this policy for specific situations in which they deem efficiency of operations outweighs the safety benefit. (M M M M M M)

**41.2.14** *A written directive designates specifications for personal equipment and apparel to be worn by patrol officers.*

**Commentary:** Uniforms should be well fitting and suited for seasonal changes in climate to provide maximum comfort. The uniform should also identify the wearer by name, rank, badge number, and agency. Clothing, leather goods, accessories, and service weapons should convey uniformity. (O O O O O O)

**41.2.15** *The agency provides patrol officers with uniforms and personal equipment or an allowance equivalent to their costs.*

**Commentary:** When an agency furnishes uniforms and equipment for its personnel, the possibility that officers will wear or use unauthorized or nonstandard items is minimized. (O O O O O O)

**41.2.16** *Body armor is available to officers assigned to routine field duty.*

**Commentary:** A directive may specify circumstances when the wearing of body armor is mandatory. Body armor should afford protection consistent with the threat to which officers are exposed. The number of body armor items does not have to be equal to the total number of agency

employees. Rather, body armor should be immediately available for every officer on a given shift. (M M M M M M)

**41.2.17** *If an agency uses canine teams, a written directive specifies the circumstances in which they may be used.*

**Commentary:** The purpose of this standard is to ensure that canine teams are not deployed haphazardly. Great caution should be used in deploying teams in heavily populated or congested areas. The directive should include a specific statement restricting the use of dogs for controlling riots or civil disorders. (M M M M M M)

**41.2.18** *A written directive establishes procedures for notifying next-of-kin of deceased, seriously injured, or seriously ill persons.*

**Commentary:** The procedures should ensure that notifications are carried out promptly and in a considerate manner. Whenever possible, assistance should be obtained from the clergy or a relative or close friend. Procedures should also address notification requests initiated by other agencies. The agency may cover notifications for accident and nonaccident situations in the same directive. (M M M M M M)

**41.2.19** *A written directive establishes procedures for notifying the following:*

- medical examiner/coroner
- street/highway department personnel
- public utilities personnel
- news media

**Commentary:** The written directive should specify the circumstances requiring notification of the medical examiner/coroner and establish procedures to ensure that such notifications are promptly carried out. The directive should also ensure prompt notification of street/highway department and/or public utilities personnel to effect emergency repairs or restore essential services and assist in removal of debris from the roadway. Prompt notification of the news media is essential to inform the public of traffic congestion or detours resulting from traffic accidents. The procedures should also establish guidelines for the release of accident information. (M M M M M M)

## Glossary

TOPICAL AREA: PATROL

BEAT: A geographic area assigned to a patrol officer. The term "beat" applies to the area patrolled by an officer on foot or in a vehicle.

**BODY ARMOR:** A vest or jacket whose material—such as kevlar or nylon cloth—affords ballistic protection and whose construction may or may not accommodate metal or ceramic inserts.

**FIELD INTERVIEW:** The stopping and questioning of a person by a law enforcement officer because the officer (1) has reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a crime, (2) believes the subject may be a hazard, or (3) believes the interview may have a preventive effect.

**FOLLOW-UP INVESTIGATION:** An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property. The investigation may include the following activities: (1) identifying and apprehending the offender; (2) collecting, preserving, analyzing, and evaluating evidence; (3) recovering stolen property; (4) interviewing victims and witnesses; (5) interrogating suspects; (6) determining in detail the exact circumstances of the offense; (7) determining if other crimes may have been committed by the suspect; (8) reporting information obtained; and (9) preparing case for court presentation.

**PATROL:** The deployment of officers to repress and prevent criminal activities, investigate offenses, apprehend offenders, and furnish day-to-day law enforcement services to the community.

**PERSONAL EQUIPMENT:** The apparatus or gear required by patrol officers; includes, at a minimum, badge, baton and holder, belts, cartridge carrier, departmental and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, side arm and holster, tear gas canister, whistle.

**POLICE HAZARD:** Any situation, person, property, or place that may induce an incident calling for some law enforcement action.

**PRELIMINARY INVESTIGATION:** Generally, the activity that begins when officers arrive at the scene of

an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. The investigation usually includes the following tasks: (1) providing aid to the injured; (2) protecting the crime scene to ensure that evidence is not lost or contaminated; (3) determining if an offense has actually been committed and, if so, the exact nature of the offense; (4) determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished either at the scene or through immediate pursuit; (5) furnishing other field units, through the communications system, descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles; (6) obtaining complete identification of all witnesses; (7) determining what information is known by the victims and witnesses; (8) arranging for the collection of evidence; (9) determining in detail the exact circumstances of the offense; (10) obtaining written statements from victims and witnesses, and from the suspect if such statements can be obtained legally; and (11) accurately and completely recording all pertinent information on the prescribed report forms.

**SPECIAL-PURPOSE VEHICLE:** A vehicle used because of considerations of weather, terrain, the need for inconspicuous appearance, quietness, storage requirements, special operational needs, etc. Includes SWAT trucks, bomb disposal vehicles, mobile command posts, all-terrain vehicles (ATVs), snowmobiles, boats, aircraft, and prisoner transport vehicles.

**TEN SIGNAL CODE:** A method of radio communication that substitutes numbers, in the form of "10-(number)," for communications purposes so as to minimize broadcast time. For example, "affirmative" or "OK" is 10-4; "negative" is 10-7; "arrived at scene" is 10-23; and "records check" is 10-29. (APCO—the Associated Public-Safety Communications Officers, Inc.—recommends adoption of its Ten Signal Aural Brevity Code in its publication *The Public Safety Communication Standard Operating Procedure Manual*, New Smyrna Beach, PO Box 669, Florida 32069.)

## NOTES

# 42

## CRIMINAL INVESTIGATION

Standards in this chapter relate to the criminal investigation function as performed by both uniformed officers and officers assigned to a specialized investigative component. The standards reflect the perspective that agencies have discretion in determining the degree of specialization necessary to accomplish this function.

The standards provide for administrative and operational programs that should result in efficient and effective criminal investigations. This approach does not direct the agency's investigative functions in each specific crime category, such as homicide, rape, robbery, etc., but rather identifies those elements common to every investigation.

Standards in this chapter are closely related to topical areas addressed in other chapters, including Organized Crime and Vice Control (Chapter 43), Juvenile Operations (Chapter 44), and Collection and Preservation of Evidence (Chapter 83).

### 42.1 Organization and Administration

**42.1.1** *A written directive establishes the agency's criminal investigation function.*

**Commentary:** The written directive should describe this function, emphasize its significance in a law enforcement agency, and identify agency personnel, uniformed or nonuniformed, responsible for carrying out this function.

(M M M M M M)

**42.1.2** *A written directive establishes a criminal investigation component.*

**Commentary:** The functions and activities of the criminal investigation component should be specified in the directive. The written directive should also place accountability for this activity within a specified position.

(O O O M M M)

**42.1.3** *Personnel are assigned to the investigation of cases on the basis of expertise.*

**Commentary:** Cases requiring specialized skill, knowledge, and ability should be assigned to personnel having those credentials. This does not preclude assigned persons from obtaining assistance from others, who may have more specialized skills, but is intended to emphasize using the best qualified person available for assignment. The standard is also intended to discourage the perfunctory assignment of personnel based on a rotation or other criteria-free system.

(O O O M M M)

**42.1.4** *An administrative designation of "open," "suspended," or "closed" is assigned to each case, as appropriate.*

**Commentary:** This designation is an internal administrative procedure to assist in case management and control. The categories are comprehensive in that "open" indicates the case is assigned to an officer and investigative efforts are active; "suspended" indicates all available leads have been exhausted but the case has not been brought to a conclusion and investigative efforts may be resumed; and "closed" indicates the case has been concluded. (O O O O O O)

**42.1.5** *A written directive specifies the criteria for suspending investigative efforts.*

**Commentary:** Adherence to this standard will provide administrators with improved management control over the conduct of follow-up investigations. It involves the continued application of solvability and degree-of-seriousness factors to the investigative workload. The criteria may include (1) lack of further leads or solvability factors, (2) unavailability of investigative resources, and/or (3) insufficient degree of seriousness. (M M M M M M)

**42.1.6** *A written directive establishes procedures for informing crime victims of the status of their case.*

**Commentary:** Crime victims should receive official notification any time there is a change in the status of their case.

The written directive should specify what qualifies as official notification, time frames for notification, and what constitutes a change in status. (Status changes may be based on administrative designations in standard 42.1.4 or be more specific.) (M M M M M M)

**42.1.7** A written directive establishes a system of case file maintenance for the criminal investigation component, to include:

- types of records to be maintained
- accessibility to the files
- purging of files

**Commentary:** Case files should be maintained on all cases in which investigative activities are ongoing. The case files provide an immediate information resource to investigators. The case files should contain a copy of preliminary investigative reports (all originals should be maintained in central records), records of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes. These files should be consolidated into the central records system when the case is suspended or closed.

(O O O M M M)

**42.1.8** A written directive specifies policies and procedures to be followed when using informants, to include:

- inclusion of informants in a master file;
- content of the informant file;
- maintenance of an informant file;
- security of informant file and related codes;
- other methods to protect the identity of informants;
- criteria for paying informants, if applicable;
- precautions to be taken with informants, generally; and
- special precautions to be taken with juvenile informants.

**Commentary:** The use of confidential informants is important to the satisfactory completion of many investigations. Procedures should be established to provide for this resource within a controlled system to avoid abuse and minimize adverse impact. Investigating officers should take additional precautions when dealing with informants of the opposite sex and with informants whose sexual preferences may make an investigation

more susceptible to compromise through alleged improprieties.

A master file on informants should be maintained with an emphasis on security and rigid control of access. The file should contain information on informants, to include their background, a record of transactions, and information on how they can be located. Coded information should be used in all transactions with informants, including pay. (M M M M M M)

**42.1.9** When an agency provides a fund for paying informants, a written directive establishes controls for the fund, to include:

- accessibility
- criteria for use
- accounting
- auditing

**Commentary:** The confidential nature of these funds requires special administrative (accounting and auditing) procedures. Accessibility implies physical safekeeping as well as a procedure for obtaining the money for payment. The criteria for use imply that a decision should be made regarding the value of the information as it relates to the investigation. (M M M M M M)

**42.1.10** A written directive specifies accountability for conducting preliminary and follow-up criminal investigations.

**Commentary:** To assign responsibility and to establish investigative continuity, a written directive should define which element of the agency is to accomplish the preliminary and/or follow-up investigation for various categories of incidents. (M M M M M M)

**42.1.11** A written directive specifies that each officer assigned to the investigative component prepares a daily activity report.

**Commentary:** An activity report is intended to provide a daily record of the performance of each investigator. The form is an account of activities. The document serves as an administrative control of the activities. (N/A O O O O O)

**42.1.12** A written directive states that uniformed patrol officers should be utilized to conduct preliminary investigations.

**Commentary:** Patrol officers should ordinarily respond initially to cases requiring investigation and be expected to gather field information relative to the incident. The written directive should promote the use of patrol officers for this purpose, recognizing that exceptions should be made when

it is advantageous to have investigators in plain clothes respond initially. In many cases the initial effort may satisfactorily complete the case. (M M M M M M)

**42.1.13** *A written directive establishes an investigative case status control system.*

**Commentary:** The written directive should specify information that should be recorded, such as investigator assigned, date assigned, case number, and report due date. (M M M M M M)

**42.1.14** *The agency uses a case-screening system based on solvability factors and specifies the criteria for continuing an investigative effort.*

**Commentary:** The objective of case screening is to apply available manpower to those investigations that have the best chance of being successful. The written directive should specify how such screening is to be conducted, by whom, and what criteria (solvability factors) should be used. Screening of preliminary investigative information will assist in the decision on whether a follow-up investigation will be made. (O O O O O O)

**42.1.15** *The criteria used to assign cases for follow-up investigation are based on one of the following:*

- *documented experiences of the agency;*
- *documented experiences of other law enforcement agencies;*
- *research conducted within the agency; or*
- *research conducted in other law enforcement agencies.*

**Commentary:** The use of agency experience for determining the criteria for assigning a case to follow-up investigation is one method for deciding the appropriate criteria. Additional methods exist that may provide the agency with valid criteria for assigning cases to follow-up investigation, such as the use of solvability factors. (M M M M M M)

**42.1.16** *A written directive specifies the criteria for determining whether a case will be followed up and the resources to be used in this effort.*

**Commentary:** The decision about the extent of follow-up should be made at a management level, based partially on operational input. Adherence to this standard will provide law enforcement administrators with improved management control over the conduct of follow-up investigations. It involves the continued application of solvabil-

ity and degree-of-seriousness factors to the investigative workload. Inherent in improved management control is the scheduled, periodic reporting by investigators on the progress of assigned cases. (O O O M M M)

**42.1.17** *A written directive establishes a program for temporary assignment of patrol officers to the criminal investigation component.*

**Commentary:** This standard will permit uniformed officers to gain additional investigative experience. While temporarily assigned to the criminal investigation component, the patrol officers should be given every opportunity to work on a variety of assignments. Establishment and maintenance of the program described in this standard should benefit the agency in several ways, including (1) strengthening the investigative process, (2) enhancing career development for the individual officer, (3) improving crime investigation reporting, (4) improving and providing more complete preliminary investigations by patrol officers, and (5) creating a pool of patrol officers with investigative experience. (N/A N/A O O O O)

**42.1.18** *Sworn positions in the criminal investigation component are the same as those used in the patrol component for:*

- *rank titles*
- *salary schedules*

**Commentary:** It should be possible to transfer personnel from the patrol force to the criminal investigation component (and vice versa) without regard for rank titles. There should not be a unique set of ranks or rank structure within any operational component of the agency. Additionally, extra pay for officers assigned as investigators limits the agency's flexibility in transferring personnel. To facilitate lateral personnel movement without affecting an individual's income, investigators should be equal in salary to their counterparts in the patrol component. (O O O O O O)

## 42.2 Operations

**42.2.1** *A written directive establishes procedures to be used in criminal investigation, to include:*

- *information development;*
- *interviews and interrogation;*
- *collection, preservation, and use of physical evidence; and*
- *surveillance.*

**Commentary:** The written directive should specify acceptable practices and methods of developing information through witnesses, victims, informants, and other sources available to officers. The directive should also provide guidance in conducting an investigation by utilizing information developed by the other methods listed in the standard. (M M M M M M)

**42.2.2** *A written directive establishes steps to be followed in conducting preliminary investigations, to include:*

- *observing all conditions, events, and remarks;*
- *locating and identifying witnesses;*
- *maintaining the crime scene and protecting evidence;*
- *interviewing the complainant and the witnesses;*
- *interrogating the suspect;*
- *arranging for the collection of evidence;*
- *effecting the arrest of the criminal; and*
- *reporting the incident fully and accurately.*

**Commentary:** The preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus obviating the need for a follow-up investigation. The standard is not intended to preclude the officer conducting the preliminary investigation from being assigned to the follow-up investigation. (M M M M M M)

**42.2.3** *A written directive establishes steps to be followed in conducting follow-up investigations, to include at a minimum:*

- *reviewing and analyzing all previous reports prepared in the preliminary phase;*
- *conducting additional interviews and interrogations;*
- *reviewing departmental records;*
- *seeking additional information (from uniformed officers, informants);*
- *reviewing results from laboratory examinations;*
- *arranging for dissemination of information as appropriate;*
- *planning, organizing, and conducting searches;*
- *preparing cases for court presentation;*
- *assisting in prosecution;*
- *identifying and apprehending suspects;*
- *collecting physical evidence;*
- *determining involvement of suspects in other crimes; and*
- *checking suspects' criminal histories.*

**Commentary:** These procedures should be used only in the event they are found to be necessary. For example, every follow-up investigation may not include a search. The written directive should be intended as a guide. (M M M M M M)

**42.2.4** *The agency provides checklists to aid in criminal investigations.*

**Commentary:** The field report, properly prepared, serves as a satisfactory checklist for most investigations. However, more complicated investigations require additional efforts, and checklists aid in ensuring that critical areas of investigation are not overlooked. (O O O O O O)

**42.2.5** *A written directive establishes procedures for making a "second contact" with principals involved in a case requiring follow-up investigation.*

**Commentary:** Contacting a victim, complainant, or witness for a second time, after the lapse of several days, may result in the receipt of information leading to the clearance of a case. Maintaining a policy of "second contact" is valuable in building public confidence in the agency as well as indicating that the law enforcement officers are genuinely concerned about the welfare of the victim and other citizens associated with the case. (O O O O O O)

**42.2.6** *The agency has a system for designating a single person or principal investigator or case coordinator for each case.*

**Commentary:** This standard does not preclude the assignment of more than one person to an investigation but is designed to place accountability for each case. (O O O O O O)

**42.2.7** *If the criminal investigation component does not provide 24-hour coverage, an "on-call" schedule of investigators is maintained.*

**Commentary:** In agencies in which investigators are not assigned to duty shifts throughout a 24-hour period or on weekends, the criminal investigation component should publish an on-call investigator duty roster, which is furnished to the communications center and the commander of the patrol force. (O O O M M M)

**42.2.8** *The agency has a system that provides for periodic attendance of criminal investigation component investigators at roll-call meetings conducted for patrol officers.*

**Commentary:** Joint roll-call meetings conducted for patrol and criminal investigative personnel

will enhance relationships between these entities and provide for the exchange of information.  
(O O O O O O)

**42.2.9** *A written directive governs the use of technical aids for the detection of deception in criminal investigations.*

**Commentary:** The written directive should govern the use of such devices as polygraphs and other detection-of-deception equipment. The directive should also specify those persons who may be authorized to use the equipment and the conditions under which it may be used.  
(M M M M M M)

**42.2.10** *If technical aids for the detection of deception are used, examiners are graduates of institutions providing training for this purpose.*

**Commentary:** Adherence to this standard ensures a uniform training base for all operators of technical aids for detection of deception. All operators of such technical aids should be certified by the state in which they are employed if the state has a certification program.  
(M M M M M M)

**42.2.11** *If investigative task forces are used, a written directive governs their activities, to include:*

- identifying the purpose;
- defining authority and responsibilities;
- establishing accountability;
- identifying resources available; and
- evaluating results and their continued necessity.

**Commentary:** The directive may be a product of the task force or the participating agency. This standard applies to task forces formed within an agency or as a mutual effort among agencies having concurrent or adjoining jurisdictions. The criteria for the use of task forces should be specified in the directive. The kinds of offenses for which they should be used and the procedures for control and evaluation should be outlined.  
(O O O O O O)

**42.2.12** *A written directive governs procedures for assuring compliance with constitutional requirements during criminal investigations.*

**Commentary:** The areas referred to in this standard are (1) coercion or involuntary nature of confessions and admissions, (2) delay in arraignment, (3) failure to inform defendants of their rights, (4) deprivation of counsel, and (5) pretrial publicity tending to prejudice a fair trial.  
(M M M M M M)

**42.2.13** *A written directive establishes procedures to be followed in conducting field interviews/interrogations, and includes:*

- identifying circumstances under which field interviews/interrogations are appropriate;
- recording the field contact;
- distributing the record; and
- purging the record.

**Commentary:** An important crime prevention and information-gathering tactic is the establishment by legitimate means of verbal contact by law enforcement officers with selected pedestrians and motorists. The resulting field interview or interrogation records are of great value to investigators in developing leads and establishing crime patterns. (M M M M M M)

**42.2.14** *A written directive establishes procedures to be used in conducting background investigations, to include:*

- identifying the purpose of the investigation;
- identifying potential sources of information;
- using the information collected;
- controlling the distribution of related records; and
- purging the records.

**Commentary:** Criminal investigations frequently involve background investigations of persons, particularly as they relate to white collar crime, organized crime, and vice activities. Additionally, the licensing of some businesses requires background investigations of persons. These investigations should be conducted discreetly and with special precautions. This standard is not intended to include background investigations in the selection process. (M M M M M M)

## NOTES

# 43

## ORGANIZED CRIME AND VICE CONTROL

Standards in this chapter relate to the control of organized crime and vice. Organized crime and vice control functions deal with activities that may or may not be related but use investigative methods that are closely related. This chapter is organized in a manner that separately addresses organizational and administrative differences as well as operational similarities between the two functions.

Standards in subchapter 43.1 relate to the organization and administration of the organized crime control function and the vice control function. Though they are similar, in some instances, the two functions may be organized separately to ensure continuous and constant enforcement pressure on each area of illegal activity, unhindered by other law enforcement duties. Standards 43.1.2 through 43.1.5 focus on vice control and standards 43.1.6 through 43.1.9 concentrate on the control of organized crime.

Subchapter 43.2 contains standards that relate to the operations of both functions. Except for standard 43.2.11, which focuses only on organized crime control, all of the standards in this subchapter apply to both the agency's organized crime control function and vice control function. For some standards, a specific action will put both functions in compliance with the standard; for other standards, the respective functions may have to take a specific action to be in compliance.

### 43.1 Organization and Administration

**43.1.1** *A written directive states the agency's commitment to the suppression of organized crime and vice.*

**Commentary:** In addition, the directive should state that it is the responsibility of every officer to suppress organized crime and vice activities. (M M M M M M)

**43.1.2** *A written directive establishes the agency's vice control function.*

**Commentary:** Vice activities can exist in any community and thus require a law enforcement response from the agency serving the community. The directive should establish the administration of the vice control function and should designate one person as being responsible for coordinating and overseeing vice control and enforcement. (M M M M M M)

**43.1.3** *A written directive specifies the responsibilities of the vice control function.*

**Commentary:** The vice control function should address those illegal activities of concern to the community. Often included are: prostitution, the

illegal use and sale of controlled substances, illegal gambling, the illegal use and/or sale of alcoholic beverages, and the distribution and sale of obscene or pornographic materials.

In small agencies, the vice control function should be responsible for the enforcement of these activities. In larger agencies, the vice component can delegate responsibility for the control of these activities to specialized functions within the component, or the agency can establish specialized components, each responsible for the control of at least one of the above activities. (M M M M M M)

**43.1.4** *The agency has a vice control component.*

**Commentary:** In larger agencies, a full-time component should be established to suppress vice activities. The agency should provide for the administration and organization of the component and should determine the number and type of personnel and any equipment, funds, or other resources necessary for the component to accomplish its mission. To ensure accountability and provide for unity of command, the agency should

also designate one person as being responsible for the component and that person should report to the agency's chief executive officer or the chief executive officer's designee.  
(N/A N/A O M M M)

**43.1.5** *The agency has established written goals and objectives relating to the performance of the vice control function.*

**Commentary:** Goals should be realistic, as explicit as possible, and in concert with agency resources. Objectives should be reasonably attainable, quantifiable and measurable, and reviewed and revised as necessary, but at least annually. Both goals and objectives should be in written form and disseminated to all employees within the vice control function. (O O O O O O)

**43.1.6** *A written directive establishes the agency's organized crime control function.*

**Commentary:** Organized crime activities are not restricted to large urban areas but can exist in any community where it is possible for a group of persons to establish an organization for criminal activity that provides a continuing financial profit. The law enforcement agency should create a function that can concentrate its efforts on suppressing organized crime activities. The directive should establish the administration of the function and should designate one person as being responsible for coordinating and overseeing organized crime control and enforcement.  
(M M M M M M)

**43.1.7** *A written directive specifies the responsibilities of the organized crime control function.*

**Commentary:** The organized crime control function should address unlawful activities by members of organized groups or associations (1) engaged in or promoting extortion, theft, fencing, loan sharking, labor racketeering, or any offense for profit; or (2) engaged in supplying illegal goods and services such as gambling, pornography, prostitution, illegal trafficking in controlled substances, liquor or weapons, and other unlawful conduct that may include the illegal use of force, fraud, bribery, or corruption.

In small agencies the function can be assigned as a part-time responsibility to an officer, such as a member of the vice control component. The above listing does not represent all organized crime activities but rather lists the major activities in which organized crime may attempt to engage. Vice activities can be under the control of organized criminals, but in some cases they are not; therefore, in larger agencies a separate vice control component should have major responsibility

for suppressing vice activities.  
(M M M M M M)

**43.1.8** *The agency has an organized crime control component.*

**Commentary:** In larger agencies, a full-time component should be established to suppress organized crime activities. The agency should provide for the organization and administration of the component and should determine the number and type of personnel and any equipment, funds, or other resources necessary for the component to accomplish its mission. To ensure accountability and provide for unity of command, the agency's chief executive officer should designate one person as being responsible for the component.  
(N/A N/A O M M M)

**43.1.9** *The agency has established written goals and objectives relating to the performance of the organized crime control function.*

**Commentary:** Goals should be realistic, as explicit as possible, and in concert with agency resources. Objectives should be reasonably attainable, quantifiable and measurable, and reviewed and revised as necessary, but at least annually. Both goals and objectives should be in written form and disseminated to all employees within the organized crime control function.  
(O O O O O O)

## 43.2 Operations

**43.2.1** *A written directive specifies policies for receiving and processing vice and organized crime complaints.*

**Commentary:** The agency should establish policies and procedures ensuring that each complaint received is recorded and investigated to the fullest extent possible. The directive should include a listing of complaint forms used, information needed, and preliminary actions to be taken. Providing investigators or complaint handlers with a checklist can enhance the processing of complaints. (M M M M M M)

**43.2.2** *The agency's component maintains a record of vice and organized crime complaints made by citizens that are substantiated by investigation.*

**Commentary:** Every vice complaint received should be recorded and entered in a complaint filing system with provision for purging after a specified period of time. This enables the agency to remain aware of existing or potential problems. Also, this allows the agency to conduct peri-

odic analyses to evaluate both the community problem and public attitudes toward the problem. (O O O O O O)

**43.2.3** *A written directive specifies procedures for vice and organized crime investigations.*

**Commentary:** The agency should establish policies for conducting preliminary and follow-up investigations of vice and organized crime offenses. The directive should include provisions for investigative methods, notifying victims or complainants, reporting to supervisors, submitting reports, etc. (M M M M M M)

**43.2.4** *Records relating to active vice and organized crime investigations are maintained separately from the central records system.*

**Commentary:** The nature of vice and/or organized crime offenses and the considerable amount of undercover work involved in controlling these offenses contribute to the sensitivity of related records. The agency should limit access to these records to authorized persons. These records should be assigned central case numbers, but the actual records of an active investigation should be under the control of the person or the organizational component responsible for the function. (O O O O O O)

**43.2.5** *The vice and organized crime control functions maintain a confidential file on each informant, to include, at a minimum:*

- biographical and background information;
- criminal history record, if any;
- payments made to informant;
- information received from informant;
- informant's involvement in operations;
- code name or number of each informant; and
- secured, restricted, and controlled access.

**Commentary:** Files must be secured, restricted, and controlled by the person responsible for the function, as required by the standard. Access to information should be thought of as an organizational resource and not as an individual resource. (M M M M M M)

**43.2.6** *The agency maintains a record of information conveyed to and received from outside agencies in relation to vice and organized crime control.*

**Commentary:** The control and suppression of vice and organized crime often involve cooperation with other law enforcement agencies. A record or file of correspondence and assistance allows the agency to evaluate the effectiveness of past oper-

ations, which, in turn, can enhance the development of present and future strategies. (O O O O O O)

**43.2.7** *The agency's budget provides for a confidential fund to support the operations of the vice and organized crime control functions.*

**Commentary:** The nature of the operations of these functions often requires frequent and sometimes large expenditures of money. This can include paying informants, purchasing contraband as evidence, and expenses for surveillance activities and equipment. (O O M M M M)

**43.2.8** *A written directive establishes an accounting system for vice and organized crime control confidential funds, to include, at a minimum:*

- authorization of one person as responsible for the system;
- submission of request for funds prior to payment;
- submission of receipt after payment to include: the amount and purpose of payment; officer's name; informant's name, if any; information or material purchased; subsequent law enforcement action, if any; date; case number;
- approval by chief executive officer for payments in excess of a specified amount; and
- quarterly audit and report of expenditures.

**Commentary:** Although the amount of money in a larger agency's confidential fund can be much greater than the amount in a smaller agency's fund, the need for an accounting system is independent of agency size. (O O M M M M)

**43.2.9** *A written directive establishes a system for the authorization, distribution, and use of surveillance and undercover equipment.*

**Commentary:** The intent of the standard is to establish a system of controls, policies, and procedures that will prevent unauthorized use and loss of often expensive and sophisticated surveillance equipment. (O O O O O O)

**43.2.10** *A written directive establishes procedures for communication, coordination, and cooperation with other agency functions or components.*

**Commentary:** The control and suppression of vice and organized crime can be better accomplished with a concerted and coordinated effort by various components in the agency, especially the intelligence, patrol, and criminal investigation functions. The agency should establish procedures ensuring the exchange of information for both intelligence and operational activities. (O O M M M M)

**43.2.11** *If an organized crime control, prosecution, and/or investigation unit operates in the agency's service area, a written directive establishes procedures for the agency's participation, communication, coordination, and cooperation with the unit.*

**Commentary:** Because organized crime can exist in several communities at one time, successful law enforcement efforts of one agency often displace the problem to another community rather than eliminate it. Organized crime control, prosecution, and/or investigation units are an effective means for coordinating the efforts of a number of local and state law enforcement agencies in the investigation and prosecution of persons involved in an organized criminal activity. The agency should establish procedures that enhance the exchange of information and personnel.

(O O O O O O)

**43.2.12** *A written directive states the agency's criteria that determine which vice and organized crime complaints or violations are investigated.*

**Commentary:** Investigations into vice and organized crime offenses can involve tremendous expenditures of time, money, and effort. By establishing criteria with which to evaluate the accuracy and credibility of initial information and determine the scope and relative importance of the problem, the agency can determine which vice and organized crime offenses should be investigated. This can be accomplished by posing specific questions, such as: (1) Is the original intelligence information valid? (2) What is the criminal nature of the problem? (3) How important is the problem? (4) What lead information exists? (5) What investigative techniques might be used? (6) Does the agency have sufficient resources? (7) What possible operational problems exist? (O O O O O O)

**43.2.13** *The agency has the capacity to conduct covert operations for the control of vice and/or organized crime violations.*

**Commentary:** Vice and organized crime offenses, by their nature, often require officers to learn of and develop evidence of crime by infiltrating an operation or associating with persons suspected of criminal activity. The agency should have the resources for decoy, undercover, and surveillance operations. (N/A O O O M M)

**43.2.14** *The agency has a written plan for conducting vice and organized crime surveillance operations, to include, at a minimum, provisions for the following:*

- analyzing crimes and victims;

- identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information;
- familiarizing the officer with the neighborhood or target area;
- determining operational procedures for observation, arrests, and "tails";
- supplying officers with expense funds;
- establishing means of communication;
- selecting equipment or vehicles;
- providing relief; and
- determining legal ramifications.

**Commentary:** The intent of the standard is to establish guidelines for surveillance operations. (O O M M M M)

**43.2.15** *The agency has a written plan for conducting vice and organized crime undercover operations, to include, at a minimum, provisions for the following:*

- identifying and analyzing suspects;
- making contacts with suspects;
- analyzing neighborhood or target area where officers will work;
- supplying officers with false identity and necessary credentials;
- maintaining confidentiality of officers' false identity;
- supplying officers with expense funds;
- supplying officers with equipment;
- establishing means for routine and emergency communication;
- determining legal ramifications;
- providing guidelines for arrest;
- providing back-up security for officers; and
- providing for close supervision.

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

**43.2.16** *The agency has a written plan for conducting vice and organized crime decoy operations, to include, at a minimum, provisions for the following:*

- analyzing victims, crimes, and crime locations;
- disguising officers to resemble victims;
- determining the number of back-up officers for security and protection;
- developing operational procedures, such as observation and arrest;
- determining legal ramifications;
- establishing communications;

- identifying participating personnel;
- notifying patrol commander responsible for target area; and
- providing close supervision.

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

**43.2.17** *The agency has a written plan for conducting vice and organized crime raids, to include, at a minimum, provisions for the following:*

- granting authorization for the raid;
- designating a single person as supervisor and coordinator;
- developing strategies and tactics for approaching, entering, securing, and leaving target;
- searching for and seizing evidence and/or contraband;
- selecting equipment;
- selecting and communicating with specialized support units;

- arresting suspects;
- authorizing use of force;
- requesting medical assistance; and
- providing for documentation.

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

**43.2.18** *A written directive states that the person or persons responsible for the organized crime and vice control functions must submit a written status report to the agency's chief executive officer no less than quarterly.*

**Commentary:** To keep the agency's chief executive officer informed of current vice and organized crime problems and actions taken to control the problems, the responsible persons should submit a written report quarterly summarizing complaints, investigations, and arrests. This standard applies to the persons responsible for the functions and field commanders responsible for vice and organized crime control.

(O O O O M M)

## NOTES

# 44

## JUVENILE OPERATIONS

Standards in this chapter relate to the organizational and operational aspects of juvenile operations.

Beyond enforcing the law with respect to juvenile offenders, agencies should make a firm commitment to develop programs designed to prevent juvenile delinquency.\* In mid- to large-size agencies, a juvenile operations component should be established; in smaller agencies, the assignment of the function to a person as a part-time responsibility may suffice. The activities engaged in by those responsible for the function should include such things as conducting follow-up investigations of cases involving juvenile offenders; processing youth arrests; preparing and presenting court cases in which a juvenile is involved; diverting juvenile offenders out of the juvenile justice system; and designing and implementing programs intended to prevent delinquent and criminal behavior by youths.

When dealing with juveniles, law enforcement officers should always make use of the least coercive among reasonable alternatives, consistent with preserving public safety, order, and individual liberty. Generally speaking, law enforcement agencies have four sets of alternatives from which to choose when dealing with juveniles: they may release the offender and take no further action; they may divert the offender to any of a number of social service agencies; they may dispose of the case themselves; or they may (in the case of serious offenders) refer the youth to juvenile court (intake). Because a range of alternatives exist within these dispositional choices, agencies should establish guidelines and criteria for the use of each.

Given the special legal status of juveniles, criteria should be developed that govern when juveniles should or should not be taken into custody. In addition, procedures should be established for the interrogation and temporary detention of juveniles, once taken into custody. Procedures should also be developed for the collection, dissemination, and retention of fingerprints, photographs, and other forms of identification, as well as juvenile records. The standards in this chapter are not intended to usurp state statutes or ordinances. Evidence of adherence to state statutes or ordinances will be taken as evidence of compliance.

### 44.1 Organization and Administration

**44.1.1** *A written directive states that the agency is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.*

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\*A state-level agency must comply with those standards relating to juvenile operations that are in accord with its mission. A state agency is not required to perform activities that would interfere with local juvenile efforts, but it may assist local departments as deemed appropriate. State agencies may wish to consult with Commission staff about the applicability of these standards to their operations.

**Commentary:** Although the enforcement of laws with respect to juveniles is obviously a major objective, it is also necessary to emphasize the need for law enforcement agencies to engage in activities and design programs geared toward preventing and controlling juvenile delinquency.  
(M M M M M M)

**44.1.2** *A written directive establishes a juvenile operations function, to include, at a minimum, the following activities:*

- *designing and implementing programs intended to prevent and control delinquent and criminal behavior by youths;*
- *follow-up processing of youth arrests;*
- *coordinating or preparing court cases in which a juvenile offender is involved; and*
- *diverting juvenile offenders out of the juvenile justice system and adjusting cases.*

**Commentary:** This list of activities should not be viewed as all inclusive; rather it is intended that the activities mentioned form a core around which other requirements or policies may be added as needs dictate. (M M M M M M)

**44.1.3** *The agency has a juvenile operations component.*

**Commentary:** Owing to the unique procedural aspects of the juvenile justice system and the special needs and problems of youth, specialization is particularly important in juvenile matters. The component should be assigned responsibility for conducting as many investigations involving juvenile offenders as possible, assisting field officers in juvenile cases, and maintaining liaison with other agencies and organizations interested in juvenile matters. It is the Commission's position that a centralized unit, or at least a centralized point of coordination, is desirable. (N/A N/A O M M M)

**44.1.4** *The agency has at least one employee whose responsibilities include juvenile operations.*

**Commentary:** By virtue of their special training and understanding of procedural nuances, juvenile specialists often are better equipped than patrol officers to handle youth-related problems. A juvenile specialist can also be a great help to the agency in the development and implementation of delinquency prevention programs. In small agencies, this responsibility may be combined with other agency functions. (M M M N/A N/A N/A)

**44.1.5** *A written directive establishes provisions for review and comment by other elements of the juvenile justice system in the development of the agency's policies and procedures relating to juveniles.*

**Commentary:** Because law enforcement agencies must, of necessity, deal with and rely on other components of the juvenile justice system, and because those in other social service agencies have a wealth of knowledge and experience that can be tapped, procedures for involving other elements of the juvenile justice system in the poli-

cymaking process should be established. (O O O O O O)

**44.1.6** *A written directive states that the responsibility for participating in or supporting the agency's juvenile operations function is shared by all agency components and personnel.*

**Commentary:** The juvenile operations and delinquency prevention efforts of an agency should not be limited to activities of the juvenile component. In particular, patrol officers should be familiar with handling juvenile problems, both criminal and noncriminal. (M M M M M M)

**44.1.7** *A written directive requires annual evaluation of all enforcement and prevention programs relating to juveniles.*

**Commentary:** After a thorough evaluation of both quantitative and qualitative elements of a program, a decision should be made regarding whether a specific program should function as is, be modified, or be discontinued. (M M M M M M)

## 44.2 Operations

**44.2.1** *A written directive requires that officers dealing with juvenile offenders use the least coercive among reasonable alternatives, consistent with preserving public safety, order, and individual liberty.*

**Commentary:** Youthful offenders may be dealt with by law enforcement officers in one of four ways: (1) outright release with no further action; (2) a relatively prolonged program of treatment, on a voluntary basis, necessitating the services of one or more social agencies; (3) simple treatment by the agency alone, consisting principally of supervision on a voluntary basis agreed to by the parents; or (4) referral to juvenile court. In keeping with the doctrine of *parens patriae* (i.e., that the state plays the role of parent to the child rather than adversary), agencies should seek the least forceful alternative when disposing of cases involving juveniles. (M M M M M M)

**44.2.2** *A written directive specifies the factors to be considered in diversion decisions relating to juvenile offenders, to include:*

- *the nature of the alleged offense;*
- *the age and circumstances of the alleged offender;*
- *the alleged offender's record, if any; and*
- *the availability of community-based rehabilitation programs.*

**Commentary:** The agency should have guidelines for making decisions to divert from the juvenile justice system any juvenile for whom legal proceedings would be inappropriate or the use of other resources more effective. Formal guidelines governing the disposition of juvenile cases at the agency level should be disseminated to all personnel. It is also suggested that the agency consider whether a recommendation for diversion is or was made by a complainant or victim. (M M M M M M)

**44.2.3** *A written directive establishes procedures for the release of juveniles or adjustment of juvenile cases by the agency.*

**Commentary:** Apart from diverting juveniles to other social service agencies or referring them to the juvenile courts, law enforcement agencies have a wide range of alternative remedies that they, themselves, may employ. Station-house warnings, informal referrals, consulting with and arranging for corrective action by parents, and dropping charges are examples of such alternative actions. (M M M M M M)

**44.2.4** *A written directive establishes criteria governing the referral of juvenile offenders to intake.*

**Commentary:** Agency referral of alleged juvenile offenders for formal legal proceedings should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to the juvenile justice system would include (1) all delinquent acts that if committed by an adult would be felonies; (2) all delinquent acts involving weapons; (3) all serious gang-related delinquent acts; (4) all delinquent acts involving aggravated assault and battery; (5) all delinquent acts committed by juveniles on probation or parole or by those with a case pending; and (6) all repeated delinquent acts (within the preceding 12 months).

Other cases that may require referral to the juvenile justice system include (1) juveniles who have been selected for a diversion program but have refused to participate and (2) cases in which it has been determined that parental supervision is not effective.

If the state law specifies requirements for intake, the standard may be satisfied by incorporating reference to the state law into the written directive. (M M M M M M)

**44.2.5** *A written directive establishes criteria and procedures for issuing written citations or summonses to juvenile offenders to appear at intake in lieu of taking them into custody.*

**Commentary:** If allowed by law, written citations or summonses should be used rather than taking juveniles into custody. This is in consonance with the overall philosophy of using the least coercive among reasonable alternatives consistent with the proper execution of law enforcement responsibilities. A copy of the citation should also be sent to the juvenile's parents or guardians. The seriousness of the offense and the offender's past involvement in delinquent acts—whether the act was violent and whether the youth was under the influence of alcohol or drugs—are examples of factors that can be used to establish the criteria. (M M M M M M)

**44.2.6** *The agency has written procedures for taking a juvenile into custody, including provisions for the following situations:*

- *the juvenile is alleged to have engaged in non-criminal misbehavior (a status offense); or*
- *the juvenile is alleged to have been harmed or to be in danger of harm.*

**Commentary:** The intent of the standard is to provide guidance to agency personnel in making custody decisions in juvenile matters. For the purposes of this standard the term "taking into custody" encompasses the concept of protective custody for juveniles. (M M M M M M)

**44.2.7** *A written directive establishes procedures for juveniles who have been taken into custody, to include, at a minimum:*

- *notifying the juveniles immediately of their constitutional rights;*
- *bringing the juveniles to the intake facility or the juvenile component without delay (unless a juvenile is in need of emergency medical treatment); and*
- *notifying the juveniles' parents or guardians of the fact that they have been taken into custody.*

**Commentary:** The intent of the standard is to specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody. (M M M M M M)

**44.2.8** *A written directive governs procedures for the custodial interrogation of juveniles, to include provisions for the following:*

- *conferring with parents or guardians;*
- *limiting the duration of interrogation and the number of officers engaging in the interrogation; and*
- *explaining agency and juvenile justice system procedures to juveniles being interrogated.*

**Commentary:** None. (O O O O O O)

**44.2.9** *A listing of social service agencies, in the agency's service area, that provide services to youths is maintained.*

**Commentary:** Law enforcement officers, especially juvenile specialists, should be aware of the alternatives and resources available to them. Such a list should prove an invaluable aid to those who must choose among available social service agencies when the decision to divert a juvenile is being, or has been, made. The list should be updated periodically. (O O O O O O)

**44.2.10** *A written directive requires the agency to have a school liaison program and includes provisions for the following responsibilities of school liaison officers:*

- acting as resources with respect to delinquency prevention;
- providing guidance on ethical issues in a classroom setting;
- providing individual counseling to students; and
- explaining the law enforcement role in society.

**Commentary:** School liaison programs can also provide a forum through which students, parents, faculty, and law enforcement officers can become acquainted and, as a result, earn mutual respect. Apart from the obvious benefits accruing to youths, such programs demonstrate to parents and faculty that the agency has a genuine interest in the community's youths. Visits to schools by liaison officers should be frequent (at least once a week), and efforts should be taken to have the same officer serve, on an ongoing basis, the same school so that students can come to recognize and identify with a particular liaison officer. In addition, the liaison program should be oriented toward serving students in primary and elementary grades. The use of liaison officers as security guards or hallway monitors should be avoided if at all possible. By acting in such a capacity, liaison officers may irreparably damage the relationship of mutual trust they have established. However, if a violation of the law occurs within plain sight, the officer should take appropriate action. (O O O O O O)

**44.2.11** *A written directive governs the agency's participation in community recreational youth programs.*

**Commentary:** Law enforcement agencies should take an active leadership role in developing community recreational programs for juveniles. If a recreational program is needed but does not exist, the agency is encouraged to organize one. How-

ever, once the program is established, it is best for the agency to turn over the management to professional recreational personnel or citizens' groups and allow agency personnel to participate in the program on a voluntary basis. (O O O O O O)

**44.2.12** *A written directive establishes procedures for the collection, dissemination, and retention of fingerprints, photographs, and other forms of identification pertaining to juveniles.*

**Commentary:** The directive should establish the criteria used to justify the fingerprinting and photographing of juveniles. The retention and use of these materials should be strictly controlled. Moreover, for the purpose of this standard, "other forms of identification" include physical samples from the suspect (hair, blood, urine, nails, breath, or stomach contents) and handwriting samples. (M M M M M M)

**44.2.13** *A written directive establishes procedures for the collection, dissemination, and retention of agency records pertaining to juveniles, to include:*

- separation of adult and juvenile arrest and identification records;
- provisions relating to court-ordered expungement of records;
- provisions governing disposition of records when juveniles reach adult age; and
- provisions for access to records on a need-to-know basis only.

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

**44.2.14** *A written directive designates an identifiable person or position as accountable for the collection, dissemination, and retention of juvenile records.*

**Commentary:** The intent of the standard is to ensure that access to juvenile records is permitted only if there is a proper purpose and only if access is necessary. (O O O O O O)

## Glossary

TOPICAL AREA: JUVENILE OPERATIONS

ADJUSTMENT: To resolve a juvenile case on an informal basis.

CUSTODY: Legal or physical control of a person; legal, supervisory or physical responsibility for a person.

DIVERSION: In the broadest sense, any procedure that (1) substitutes nonentry for official entry into the justice process, (2) substitutes the suspension of criminal or juvenile proceedings for continuation, (3) sub-

stitutes lesser supervision or referral to a nonjustice agency or no supervision for conventional supervision, or (4) substitutes any kind of nonconfinement status for confinement.

**INTAKE:** The point at which a juvenile offender enters the juvenile justice system. "Intake" may be initiated on request of the law enforcement agency, but the

intake process is generally supervised by a probation agency, juvenile court, or special intake unit.

**STATUS OFFENSE:** An act or conduct declared by statute to be an offense, but only when committed or engaged in by a juvenile, and that can be adjudicated only by a juvenile court.

## NOTES

# 45

## CRIME PREVENTION

Standards in this chapter relate to the prevention, resistance, and suppression of crime. Subchapters deal with, respectively, the organizational and administrative elements of crime prevention and the operational considerations that should be brought to bear in establishing and maintaining crime prevention programs.

Beyond stating their commitment to crime prevention, law enforcement agencies should establish specific policies, goals, and objectives by which their commitment can be realized.\* In some agencies, the creation of a crime prevention component may be called for; in others, designating an individual as responsible for crime prevention activities may suffice. In all agencies, it should be understood that all officers and components are responsible for achieving agency crime prevention goals and should assist others in this regard. In addition, the use of nonsworn officers and senior citizens should be encouraged and programs geared toward youths and youth groups developed.

Plans should be developed based on data indicating the types of crimes that pose the greatest threat to the community and where (geographically) criminal activity is most prevalent. The plans behind specific crime prevention programs should be designed with evaluation in mind. Programs should be evaluated annually to determine if they have been effective in achieving stated goals.

The development of neighborhood watch groups should be fostered as should provision of security surveys and other related services. Once established, neighborhood watch groups should not be allowed to "wither on the vine"; a maintenance plan should be established and adhered to. The harassment of citizens participating in such programs should be a chief concern of those responsible for maintenance activities.

### 45.1 Organization and Administration

**45.1.1** *A written directive states that the agency is committed to the development and perpetuation of community crime prevention programs.*

**Commentary:** A firm commitment should be made by both the agency's chief executive officer and high-ranking administrative staff to the concept of reducing crime through proactive crime prevention programs. Because a myriad of programs and approaches exist in the field of crime prevention, each agency will, of necessity, limit the scope of its activity to those programs and approaches that best suit its needs. For this reason, all offi-

\*A state-level agency must comply with those crime prevention standards that are consistent with its mission. A state agency is not expected to perform crime prevention activities that would interfere with local crime prevention efforts, but it may assist local departments as deemed appropriate. State agencies may wish to consult Commission staff about the applicability of these standards to their operations.

cers, especially patrol officers engaged in field assignments, should be acquainted with the specific approach and techniques their agency has chosen to use. (O O O O O O)

**45.1.2** *A written directive establishes the agency's crime prevention component and defines the relationships between all organizational elements of the agency in pursuing crime prevention activities.*

**Commentary:** Most law enforcement activities consist of reactive policing. No less legitimate, however, is the pursuit of the prevention of crime. The key to effective law enforcement lies in seeking a reasonable balance between the two broad mandates. The creation of a crime prevention component is a major step in achieving this balance. Preventing crime demands an integrated, coordinated agency response. Therefore, for a crime prevention component to meet its goals, it should maintain close ties with those compo-

nents that support, and make possible, the furtherance of the crime prevention effort.  
(N/A N/A N/A M M M)

**45.1.3** *The agency has at least one employee whose responsibilities include planning and coordinating crime prevention activities.*

**Commentary:** The fact that an agency is small does not exempt it from seeking a reasonable balance between its reactive and proactive (crime prevention) functions. Small agencies may actually be better equipped to prevent crime because of their officers' close personal ties with the community. The person responsible for crime prevention should possess a wide general knowledge of crime prevention theory and practice.  
(O M M M M M)

**45.1.4** *A written directive requires the crime prevention component to have access to foreign language specialists.*

**Commentary:** The success of community crime prevention efforts is predicated on close interaction with the community. Without appropriate language capabilities, community interaction may be impossible in some cases.  
(N/A N/A N/A O M M)

## 45.2 Operations

**45.2.1** *A written directive establishes the agency's crime prevention priority programs and provides for the following:*

- *the targeting of programs by crime type and geographic area based on an analysis of local crime data; and*
- *the evaluation of all crime prevention programs at least annually.*

**Commentary:** The agency should establish priorities for action. Based on pertinent data, the agency should decide which crime types present the greatest problem; where the problems are most severe or where crime prevention activities could be most productive; and what types of programs would be most effective in combating crime. In addition, after a thorough evaluation of both quantitative and qualitative elements of a program (at least annually), a decision should be made regarding whether the program should remain functioning as is, be modified, or be discontinued.  
(O O O O O O)

**45.2.2** *A written directive requires the agency to assist in organizing crime prevention groups in res-*

*idential areas targeted for such activity, as well as on request.*

**Commentary:** Neighborhood crime prevention groups should form the nucleus of any comprehensive crime prevention effort. All other services should be delivered as a complement to this one indispensable service. Crime prevention groups generally comprise 10 to 15 neighbors interested in mutual protection. (O O O O O O)

**45.2.3** *The agency promotes crime prevention programs for all citizens and proprietors in areas targeted for such activity.*

**Commentary:** Of the many crime prevention programs that have been conceived and implemented, a few have been found to be almost universally successful in either reducing victimization rates or leading to the recovery of stolen property. Conducting security surveys, marking property indelibly, and disseminating information to the community on prevailing types of local crime are examples of activities that can result in positive outcomes. It is the intent of this standard that such programs be conducted in areas targeted for crime prevention activity as well as on request. (O O O O O O)

**45.2.4** *A written directive requires the agency's crime prevention practitioner to maintain liaison with interested community groups.*

**Commentary:** Communities comprise individuals with diverse interests. Crime prevention officers should attempt to incorporate in their plans and programs the interests of those in the community, including the business community, local citizens' organizations, local civic associations, private security agencies, and statewide associations. (O O O O O O)

**45.2.5** *A written directive requires the agency to provide crime prevention input into development and/or revision of zoning policies, building codes, fire codes, and residential and commercial building permits.*

**Commentary:** The opportunity to be involved in this process is an integral element in ensuring that crime prevention concerns are addressed prior to construction. In many localities, the crime prevention component reviews, or is given the opportunity to review, site plans of residential and commercial construction and proposed revisions to zoning or building codes. This review and recommendation process is facilitated by policy direction or by local ordinance, and the adoption of recommendations may be mandatory or voluntary. (O O O O O O)

# 46

## UNUSUAL OCCURRENCES

"Unusual occurrences" connote situations, generally of an emergency nature, that result from disasters—both natural and man made—and civil disturbances. The category of disasters includes floods, hurricanes, earthquakes, explosions, and tornadoes. Civil disturbances include riots, disorders, and violence arising from dissident gatherings and marches, rock concerts, political conventions, and labor disputes.

The many variables affecting the response to unusual occurrences preclude developing standards on specific situations. Therefore, these standards address the administrative and operational measures an agency should take in developing plans and preparing operationally to respond effectively to an unusual occurrence. Other standards related to this chapter are included in the chapters on mutual aid (Chapter 2), special operations (Chapter 47), training (Chapter 33), and property management (Chapter 84).

### 46.1 Administration

**46.1.1** *A written directive specifies a position in the agency responsible for planning for response to unusual occurrences.*

**Commentary:** The person holding this position should be the principal advisor on unusual occurrences to the agency's chief executive officer. In larger agencies, an important part of the duties attendant to this position may be to act as an expeditor of resources during an emergency situation. (O O O O O O)

**46.1.2** *The agency has a written plan for responding to natural and man-made disasters and includes provisions for:*

- communications
- field command posts
- casualty information
- community relations/public information (media briefings)
- other law enforcement agency support
- military support (martial law)
- public facility security
- traffic control
- equipment requirements
- deescalation procedures
- rumor control
- availability for command (order of precedence)
- post-occurrence (aftermath) duties

- after-action reports
- transportation

**Commentary:** Thorough planning is a fundamental requirement in meeting the exigencies associated with natural and man-made disasters.  
(M M M M M M)

**46.1.3** *The agency has a written plan for responding to civil disturbances and includes provisions for:*

- communications
- field command posts
- casualty information
- court and prosecutorial liaison
- community relations/public information (media briefings)
- general liaison (with other agencies)
- legal considerations
- other law enforcement agency support
- military support (martial law)
- public facility security
- traffic control
- juvenile offenders
- equipment requirements
- deescalation procedures
- rumor control
- availability for command (order of precedence)

- *post-occurrence (aftermath) duties*
- *after-action reports*
- *transportation*
- *arrest/confinement procedures*

**Commentary:** Thorough planning is a fundamental requirement in meeting the exigencies associated with civil disturbances. (M M M M M M)

**46.1.4** *The agency's unusual occurrence plans are reviewed annually and updated, if necessary.*

**Commentary:** The scheduled updating of plans is an integral part of the planning process. Plans rapidly lose their effectiveness as new developments occur, new equipment is acquired, and populations increase and shift. Contact procedures should be verified more frequently. (O O O O M M)

**46.1.5** *The agency has a written emergency mobilization plan, to include provisions for:*

- *communications*
- *alert stages*
- *primary and alternate assembly areas*
- *equipment distribution*
- *special task force activation*
- *key personnel designations*
- *transportation requirements*
- *management control measures*
- *rehearsals*

**Commentary:** In the event of an unusual occurrence, the planned response of agency personnel is imperative. In larger agencies, the mobilization of personnel may be phased or initiated according to a series of alerts. (O M M M M M)

**46.1.6** *The agency maintains liaison with civil defense authorities.*

**Commentary:** The agency's component charged with preparing an unusual occurrence plan should be required to coordinate the plan's contents with all affected agencies. (M M M M M M)

**46.1.7** *Enabling legislation exists that permits responsive and preventive action by law enforcement authorities during emergency situations.*

**Commentary:** Legislation, including state statute or local ordinance, to permit action by control agencies during unusual occurrences is necessary, e.g., curfews; restrictions on sales of liquor,

gasoline, and weapons; and restrictions on access. (M M M M M M)

**46.1.8** *Agency equipment designated for use in unusual occurrence situations is inspected at least once each month for operational readiness.*

**Commentary:** To ensure the readiness of equipment to be used in support of emergency operations, unusual occurrence plans should show the numbers and types of equipment and supplies needed for various emergencies. At a minimum, plans should provide for the location, amount, maintenance, and inspection of items of equipment. (M M M M M M)

**46.1.9** *The agency has an emergency operations manual for use by command officers that is reviewed and updated at least annually.*

**Commentary:** The emergency operations manual should contain step-by-step instructions on how to implement the plan. It should contain referral worksheets that list operational orders, manpower and equipment resources, external resources, command post needs, available communications, security measures, intelligence matters, media relations, and on-site operations. (O M M M M M)

**46.1.10** *The agency has a plan for providing aid to other jurisdictions in unusual occurrence situations, pursuant to mutual aid agreements.*

**Commentary:** Law enforcement agencies should be able to respond to unusual occurrence situations in other jurisdictions that require more personnel and equipment than are normally available. The response should be in accord with previously executed agreements. (O O O O M M)

**46.1.11** *If the agency is involved in a contingency plan concerning an emergency situation at a correctional or other institution, it has a written plan for such an occurrence.*

**Commentary:** As in other environments susceptible to unusual occurrences, correctional systems and individual institutions should develop plans to prevent and deal with disorders and incidents of extraordinary violence. If the agency is included in a contingency plan of another institution, the agency should have a parallel plan for responding. The institution may be in a political jurisdiction outside the service area of the agency. (M M M M M M)

## 46.2 Operations

**46.2.1** *The agency has developed situation maps available for use in plotting operational commitments during unusual occurrences.*

**Commentary:** The situation maps should be of a scale small enough to permit ease in plotting logistical installations, high priority protective areas, force commitments, command posts, "hot spots," and similar items of interest.

(O M M M M M)

**46.2.2** *Unusual occurrence plans identify the person who will exercise command and control over all civil law enforcement resources committed to unusual occurrence operations within the agency's jurisdiction.*

**Commentary:** This standard provides for unity of command in unusual occurrence operations involving the use of personnel from other agencies. When appropriate, unit integrity of individual agency personnel will be maintained through mission assignments. (M M M M M M)

**46.2.3** *The agency's civil disturbance plan includes the following provisions for carrying out mass arrests:*

- *processing (to include booking)*
- *transportation*
- *detention*
- *evidence collection*
- *security*
- *identification*
- *interagency agreements*
- *defense counsel visits*
- *court and prosecutorial liaison*
- *media relations/public information*
- *food, water, and sanitation*
- *medical treatment*

**Commentary:** Although alternatives to mass arrests should be actively sought, law enforcement agencies should devise emergency contingency plans for mass arrest situations. The plans should include provisions for prisoner and officer security and the facilitation of the restoration of order by means of lawful arrest.

(O O M M M M)

## NOTES

# 47

## SPECIAL OPERATIONS

Standards in this chapter relate to special operations, which are defined as including use of a special weapons and tactics (SWAT) team, hostage negotiation, use of special purpose vehicles, decoy operations, undercover surveillance/stakeouts, bomb disposal, coverage of special events, VIP protection, coverage of disasters, riot control, and civil defense.

In many large agencies, these activities are grouped in a formally organized special operations (or tactical) component that provides a concentration of resources and specialized expertise at a level that could not be achieved as easily by conventional operational elements, such as the patrol component or the criminal investigation component. Usually, a special operations component is expected to conduct activities resulting from certain kinds of emergencies or unexpected or unusually high workloads that would be difficult for conventional operational components to handle.

Nothing herein should be interpreted to mean that all of these activities must be carried out by the same personnel. To the contrary, larger agencies should establish separate components to handle some of these activities—for example, the personnel of SWAT teams ordinarily should not engage in hostage negotiations. However, the standards do suggest that all full-time special operations activities should be a part of a special operations (or tactical) organizational component, such as a Special Operations Division.

Standards concerning some of these topics—coverage of disasters, riot control, and civil defense—are included in Chapter 46, Unusual Occurrences. Standards relating to specialized and canine patrol are included in Chapter 41.

### 47.1 Special Operations

**47.1.1** *The agency has a special operations component for conducting, at a minimum:*

- *supervision of special weapons and tactics (SWAT) teams;*
- *supervision of hostage negotiation teams; and*
- *undercover surveillance/stakeouts.*

**Commentary:** The intent of this standard is to require a continuing supervisory effort with respect to SWAT team usage and hostage negotiation to ensure constant planning and operational readiness in view of the critical nature of these functions. The undercover surveillance/stakeout operation is intended to be a full-time activity. Also, this requirement does not preclude surveillance and stakeout activities being conducted by persons assigned to other operational components, such as by patrol or criminal investigations personnel.

(N/A N/A N/A N/A O O)

**47.1.2** *A written directive establishes procedures for governing special operations, to include, at a minimum:*

- *special weapons and tactics (SWAT) teams*
- *hostage negotiation*
- *special purpose vehicles*
- *decoy operations*
- *undercover surveillance/stakeouts*
- *bomb disposal*
- *bomb threats*
- *coverage of special events*
- *VIP protection*
- *coverage of disasters*
- *coverage of civil disorders*
- *coverage of civil defense emergencies*

**Commentary:** The agency directive should address those special operations it performs. It should

identify the organizational configuration of the special operations component as well as the position or persons authorized to activate special operations. The directive should also set forth procedures governing the use of special operations personnel in specific situations. For those special operations the agency does not perform, the directive should identify where such assistance is available and how it is requested.  
(N/A N/A O O O O)

**47.1.3** *If a special operations component exists, a written directive governs procedures for deploying special operations component officers to supplement other operational components.*

**Commentary:** Guidelines should be established for the use of special operations officers to supplement other operations, such as patrol operations, as the need arises (for example, stakeouts or saturation patrol). The directive should specify supervisory arrangements and whether special operations officers are to be assigned as an integral unit. (N/A N/A O O O O)

**47.1.4** *A written directive establishes procedures for cooperation and coordination between special operations and other operational components.*

**Commentary:** The intent of this standard is to establish procedures to alleviate potential misunderstandings among all components, to provide for the safety of officers, and to ensure the success of the operation. When feasible, special operations officers should attend roll calls with beat officers from the areas in which they are working. Local commanders should be informed before undercover surveillance/stakeouts or decoy operations are undertaken in their area of responsibility. However, discretion is advised in disseminating information to operational components that might jeopardize a tactical operation.  
(M M M M M M)

**47.1.5** *A written directive establishes criteria for selection of officers assigned to SWAT operations or surveillance in decoy operations.*

**Commentary:** Officers who are assigned to SWAT team or decoy operations should be carefully selected. Special criteria for selection should be identified, such as a stipulation that the assignment is voluntary; prior law enforcement experience in a field assignment; physical fitness and agility; and passing a psychological screening examination. These criteria should be publicized to ensure equitable access and appointment to the unit for all qualified and interested officers. This standard applies to both full-time and part-time SWAT or decoy officers. Test scores should

be kept on file for the duration of an officer's assignment to the operation.  
(N/A N/A O O O O)

**47.1.6** *If officers are assigned full time to SWAT, undercover surveillance/stakeout, or decoy operations, a written directive requires that they be tested at least annually to determine psychological and physical fitness.*

**Commentary:** Harmful side effects of stress resulting from high-risk and dangerous work may be manifested in officers assigned full time to tactical or undercover operations. Annual testing by a licensed psychologist or psychiatrist can identify these symptoms and their debilitating conditions. Good physical condition is a prerequisite for officer safety and the prevention of injury. Test results should be kept on file for the duration of an officer's assignment to SWAT or decoy operations. (N/A N/A O O O O)

**47.1.7** *If the agency has a SWAT team, the agency provides specialized equipment for its operations.*

**Commentary:** Special equipment is needed to provide SWAT officers with proper protection. The equipment may be issued to officers for storage at home, in agency vehicles, or in some other accessible location, such as a command post. Such equipment may include (1) a portable, hand-held radio transceiver with earphones; (2) a flashlight; (3) a gas mask; (4) body armor consistent with the anticipated ballistic threat; (5) a dark utility uniform; (6) an appropriate helmet; (7) binoculars; (8) a side arm; and (9) a long gun or heavy weapon (center-fire rifle with telescopic sight, shotgun, automatic rifle, or machine gun).  
(N/A N/A O O O O)

**47.1.8** *If the agency has a SWAT team, the agency maintains a secure vehicle for the storage and transportation of its supplies and specialized equipment.*

**Commentary:** Spare weapons, ammunition, and specialized equipment (such as rope, ladders, rappelling gear, maps, manhole cover hooks, pry bars, tear gas, battering ram, bull horns, lanterns, body armor, helmets, bulletproof shields, and radios) should be available for SWAT use. Several sets of personal equipment items issued to SWAT team members (see standard 47.1.7) should be kept in the vehicle as backup equipment in the event a team member arrives at the scene of an incident without equipment.  
(N/A N/A O O O O)

**47.1.9** *The agency has a written plan for handling a barricaded person situation, and includes, at a minimum, provisions for the following:*

- notification of SWAT personnel, if the function exists;
- notification of appropriate persons within and outside the agency, such as command officers, dog handlers, or helicopter pilots;
- establishment of an inside and outside perimeter around the scene;
- evacuation of injured victims;
- evacuation of bystanders;
- establishment of central command post and chain of command;
- request for ambulance, rescue, or fire equipment;
- authorization for news media access, and news media policy;
- authorization for use of force and chemical agents against the barricaded person;
- communication with the barricaded person; and
- interaction between SWAT and hostage negotiation personnel and responsibilities of each.

**Commentary:** Guidelines for barricaded person situations need to be developed and tested prior to use in a real situation. Once in effect, they should be widely circulated and subject to annual review and modification.  
(M M M M M M)

**47.1.10** *If the agency has assigned officers to hostage negotiation duties, a written directive specifies criteria for selection of hostage negotiators.*

**Commentary:** Hostage negotiators should be carefully screened and selected. Special criteria for selection should be identified, such as passing a psychological screening examination, including an MMPI test and a clinical interview by a licensed psychologist or psychiatrist; experience as a law enforcement officer in a field assignment; and good verbal skills and problem-solving abilities. (O O O O O O)

**47.1.11** *The agency has a written plan for handling a hostage situation, to include, at a minimum, provisions for the following:*

- notification of SWAT and hostage negotiation personnel, if these functions exist;
- communications with other agencies;
- establishment of an inside and outside perimeter around the scene;
- evacuation of bystanders;
- establishment of central command post and appropriate chain of command;
- request for ambulance, rescue, fire, or surveillance equipment;

- authorization for news media access, and news media policy;
- authorization for use of force and chemical agents against hostage-taker;
- use of trained negotiation and support staff to communicate with hostage-taker;
- list of negotiable items and nonnegotiable items; and
- provision for chase/surveillance vehicles and control of travel routes.

**Commentary:** Guidelines for hostage-taking situations should be developed and tested prior to their use. Once in effect, they should be subject to annual review and modification. Because of the sensitive nature of some of the items, the directive should not be publicized outside the agency. (M M M M M M)

**47.1.12** *The agency has, or has access to, a bomb disposal operation.*

**Commentary:** The bomb disposal operation should include at a minimum: a bomb disposal trailer equipped with a receptacle or other device for containing, muting, or deflecting a bomb blast; a bomb blanket or netting; a rope or line at least 50 meters in length for attachment to and movement of a bomb; spark resistant, nonmagnetic hand tools, including tools with extended handles for manipulation of bombs at a distance; a polycarbonate shield at least one inch thick or an armored shield mounted on a dolly or cart; sandbags (or empty bags and a supply of sand); full protective body armor for two persons; and two or more persons trained through field demonstrations in the use of all the above equipment.  
(M M M M M M)

**47.1.13** *The agency has a written plan for handling a bomb threat situation or bomb emergency.*

**Commentary:** The bomb threat situation or bomb emergency plan should include, at a minimum (1) role of personnel in ascertaining details from the bomb threat caller; (2) notification of persons in the agency chain of command; (3) establishment of a security perimeter; (4) organization of search teams; (5) search procedures; (6) equipment required by search teams; (7) if a suspected device is located, notification of bomb disposal personnel (including those in an outside organization, if the agency relies on an outside organization for bomb disposal); (8) evacuation policy in schools and other buildings; (9) coordination with the fire department; (10) coordination with investigators or evidence specialists responsible for apprehending the bomb threat maker and/or gathering physical evidence; (11) communica-

tions procedures during periods of radio silence; and (12) post-explosion notifications and procedures. (M M M M M M)

**47.1.14** *The agency has a written plan for handling the security of VIPs, to include, at a minimum, provisions for the following:*

- *designation of a single person or position as supervisor and coordinator of any given security detail;*
- *equipment requirements, to include consideration of vehicles, body armor for VIPs and security officers, and weapons for officers;*
- *planning and reconnoitering travel routes and alternates;*
- *advance inspection of sites and facilities;*
- *arrangements for gathering intelligence information;*
- *coordination of operations within the agency and with outside agencies;*
- *identification of emergency first-aid, ambulance, and medical facilities;*
- *communications; and*
- *identification by designation (e.g., lapel pins).*

**Commentary:** In addition to these requirements, agencies having frequent responsibilities for coordinating operations with the U.S. Secret Service should establish specific arrangements with that organization for purposes of planning and coordination. (O O M M M M)

**47.1.15** *The agency has a written plan for handling special events, to include, at a minimum, provisions for the following:*

- *use of special operations personnel, if any;*
- *designation of a single person or position as supervisor and coordinator for the coverage of a given event;*
- *written estimate of traffic, crowd-control, and crime problems expected for any given event;*
- *logistics requirements; and*
- *coordination inside and outside the agency.*

**Commentary:** The intent of the standard is to encourage the development of an overall plan setting out requirements, in turn, for specific

planning and operation for each individual event. (N/A N/A O O O O)

## Glossary

### TOPICAL AREA: SPECIAL OPERATIONS

**BARRICADED PERSON:** An individual who resists being taken into custody by using (or threatening the use of) firearms, other weapons, explosives, etc. Generally the barricaded person is behind cover. As used here, the barricaded person may or may not have taken a hostage or made a threat to his or her own life.

**DECOY OPERATION:** Any one of various techniques for simulating a potential crime victim, with surveillance maintained by officers (usually in plain clothes) in a position to make arrests.

**MMPI:** An abbreviation for Minnesota Multiphasic Personality Inventory—a commonly used personality inventory.

**"ON-CALL" BASIS FOR ASSIGNMENT:** A job assignment not filled or staffed until the need actually arises. For example, in all but the largest departments, SWAT team members usually carry out other responsibilities while waiting to be activated. In some cases, the agency may elect to have only officers who are off duty placed on "on-call" status, while other agencies (depending on size) may require the "on-call" officers to be actually on duty but engaged in some other assignment, such as patrol.

**SWAT:** An acronym for Special Weapons and Tactics. A SWAT team usually refers to a group of about five officers who have had special marksmanship training and who are equipped with shotguns, sniping rifles, automatic weapons, climbing gear, and other specialized equipment useful in dealing with snipers, barricaded persons, or hostage-takers.

**SPECIAL EVENT:** An activity, such as a parade, athletic contest, or public demonstration, that results in the need for control of traffic, crowds, or crimes.

**UNDERCOVER SURVEILLANCE/STAKEOUTS:** Activities that include plain clothes officers assigned, for example, as clerks in stores targeted for robberies or officers (armed with shotguns or rifles) stationed on the inside or outside of an unoccupied residence or business premises to apprehend burglars, etc.

**UPDATE:** To revise or modify a plan, procedure, directive, etc. An "updating" can be simply affixing a new date on a document (when no other changes are required) or can be a major revision.

**VIP:** A "very important person," dignitary, famous personality, notorious person, or any other person in need of special security.

# 51

## INTELLIGENCE

As intelligence relates to law enforcement agencies, it is an activity principally concerned with collecting, processing, and disseminating information relating to specified problem areas. These areas of concern vary widely among law enforcement jurisdictions but typically include organized criminal activities, subversive activities, vice activities, terrorism, and civil disorders. Ordinarily, the intelligence component should not perform enforcement activities but should be a source of information for operational units.

The standards in this chapter address the basic concerns of a law enforcement agency in carrying out the intelligence function. The standards do not include the intelligence-gathering activities associated with special events, such as visits by dignitaries or sporting events.

### 51.1 Administration

**51.1.1** *A written directive specifies the intelligence activities performed by the agency.*

**Commentary:** Intelligence activities are important in all agencies, regardless of size. Certain essential activities should be accomplished, although in small agencies there may be a less formal and structured process than in large agencies. The intelligence activities should include information gathering, analysis, and dissemination to the proper units. (O O O M M M)

**51.1.2** *A written directive sets forth procedures for ensuring the legality and integrity of the intelligence effort, to include:*

- *methods for ensuring informants are secure in their anonymity;*
- *procedures for ensuring information collected is limited to criminal conduct and relates to activities that present a threat to the community;*
- *procedures for the utilization of intelligence personnel, equipment, and techniques;*
- *descriptions of the types or quality of information that may be included in the system; and*
- *methods for purging the records of out-of-date information.*

**Commentary:** Activities undertaken in the intelligence effort should avoid indiscriminate collection or distribution of information. (M M M M M M)

**51.1.3** *The agency has a full-time intelligence component with accountability designated in an identifiable position.*

**Commentary:** The purpose of this standard is to ensure accountability and provide for unity of command. Since intelligence activities are essential to effective law enforcement, a full-time organizational component should be established in those agencies in which it is justified by workload. Certain essential activities should be accomplished by an intelligence component, to include (1) a procedure that permits the continuous flow of raw data into a central point from all sources; (2) a secure records system in which evaluated data are properly cross-referenced to reflect relationships and to ensure complete and rapid retrieval; (3) a system of analysis capable of developing intelligence from both the records system and other data sources; and (4) a system for dissemination of information to appropriate units. (N/A N/A N/A O O O)

**51.1.4** *When an agency establishes a confidential fund, an accounting system is maintained.*

**Commentary:** A confidential fund is important to intelligence activities. Among other purposes, such a fund is used to pay informants and help support other intelligence operations. The accounting system should be carefully structured and audited due to the confidentiality of information. A coding system for identifying individuals is frequently used for this purpose. An accounting system should provide for internal monitoring as

well as after-the-fact auditing.  
(M M M M M M)

**51.1.5** *Intelligence records are maintained under the control of the intelligence component.*

**Commentary:** Responsibility for the security of intelligence records should be vested in the intelligence component. Access to intelligence records should be limited to individuals approved by the agency's chief executive officer. In those agencies not having a specialized intelligence component, the records should be maintained under the immediate control of the agency's chief executive officer. This represents an exception to centralization of the records system.  
(N/A N/A N/A O O O)

**51.1.6** *A written directive governs procedures for the safeguarding of intelligence information.*

**Commentary:** Intelligence information should be distributed only to criminal justice agencies and on a need-to-know basis. Intelligence information should be collated and analyzed in a secure environment. If a computer is used for intelligence purposes, there should be a secure system that protects against unauthorized attempts to access, modify, remove, or destroy stored information. (M M M M M M)

## 51.2 Operations

**51.2.1** *A written directive stipulates that the agency maintain liaison with federal, state, and local agencies for the exchange of intelligence information.*

**Commentary:** The exchange of information as well as coordination of effort between the agency's intelligence component and other governmental

agencies having similar responsibilities enhances the preparedness of each. A specific position or person should be designated as responsible for this liaison. (O O O O O O)

**51.2.2** *A written directive governs the exchange of information between the intelligence component and other agency components.*

**Commentary:** Information developed through intelligence activities should be provided to operational units to increase the effectiveness of their enforcement and deterrent efforts. The written directive should establish procedures to ensure adequate feedback on the utility and timeliness of intelligence information. It should be recognized that patrol officers have a significant opportunity to gather intelligence information.  
(N/A N/A N/A O O O)

## 51.3 Facilities and Equipment

**51.3.1** *The agency maintains or has access to specialized equipment to support the intelligence function.*

**Commentary:** The intent of the standard is to require the availability of equipment specifically designed for the intelligence function. This may include audiovisual monitoring equipment, night vision equipment, and specially designed surveillance vehicles. (O O O O O O)

**51.3.2** *A secure area separate from the agency's records center is utilized for the storage of intelligence records.*

**Commentary:** The highly sensitive nature of intelligence files requires that they be maintained separately from other agency records to prevent compromise and protect the integrity of the system. (M M M M M M)

# 52

## INTERNAL AFFAIRS

The internal affairs function is important for the maintenance of professional conduct in a law enforcement agency. The integrity of the agency depends on the personal integrity and discipline of each employee. To a large degree, the public image of the agency is determined by the quality of the internal affairs function in responding to allegations of misconduct by the agency or its employees.

The standards in this chapter assume that in large agencies there will be a specialized organizational component, usually as a part of the office of the chief executive, responsible for internal affairs matters. In those cases involving the integrity of the agency, the specialized unit will actually conduct the investigation and carry out all assignments related to resolving the issue. The specialized unit should be a resource and should review those internal affairs matters of lesser importance that are investigated by supervisory personnel.

In smaller agencies, a specialized unit may not be established. However, the function is important and investigations may be assigned to an individual on an as-needed basis or be conducted by the chief executive officer.

Agencies having an internal affairs function consistent with these standards will have the capability to respond appropriately to allegations of misfeasance, malfeasance, and nonfeasance by employees, and to complaints about the agency's response to community needs, thereby instilling public confidence in the agency.

### 52.1 Administration

**52.1.1** *A written directive establishes the agency's internal affairs function.*

**Commentary:** The written directive should establish the administration of internal affairs matters for the purpose of creating a process to ensure the integrity of the agency. The goal of internal affairs is to ensure that the integrity of the agency is maintained through an internal system whereby objectivity, fairness, and justice are ensured by an impartial investigation and review.  
(M M M M M M)

**52.1.2** *A written directive establishes the agency's internal affairs component.*

**Commentary:** The purpose of this standard is to establish accountability for a specialized internal affairs component in those agencies of sufficient size to justify this degree of specialization.  
(N/A N/A O M M M)

**52.1.3** *A written directive specifies the activities of the internal affairs function, to include:*

- recording, registering, and controlling the investigation of complaints against officers;
- supervising and controlling the investigation of alleged or suspected misconduct within the agency; and
- maintaining the confidentiality of the internal affairs investigation and records.

**Commentary:** It should be the policy of the agency that all allegations of employee misconduct be appropriately investigated and promptly adjudicated. Additionally, all reports or accusations made against members of the agency or the agency in general, from all sources, should be completely investigated in order to ensure the integrity of the agency and its members.  
(M M M M M M)

**52.1.4** *A written directive specifies the categories of complaints that require investigation by the internal affairs function.*

**Commentary:** The intent of this standard is to provide guidelines regarding which categories of

complaints are to be handled by the internal affairs function and which as part of routine discipline. The criteria for determining the categories of complaints to be referred to the internal affairs function may include allegations of corruption, brutality, misuse of force, breach of civil rights, and criminal misconduct. Criteria for assignment of the investigation of the complaint to line supervisors may include, for example, alleged rudeness on the part of the officer, tardiness, or insubordination. (M M M M M M)

**52.1.5** *A written directive designates a position or individual within the agency as responsible for the internal affairs function with the authority to report directly to the agency's chief executive officer.*

**Commentary:** This standard should ensure accountability and unity of command. The sensitivity and impact of internal affairs matters on the direction and control of an agency require that the agency's chief executive officer receive all pertinent information directly. (M M M M M M)

**52.1.6** *Written directives relating to the administration of the internal affairs function are disseminated to all personnel.*

**Commentary:** In the interest of preserving discipline and enhancing self-discipline within the agency, each employee must understand and be guided by the directives mentioned in this standard. Individuals should receive updated copies of these directives whenever changes are published. (M M M M M M)

**52.1.7** *When employees are notified that they have become the subject of an internal affairs investigation, the agency issues the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation.*

**Commentary:** The action described in this standard should be taken in the interest of organizational integrity and fairness to employees. (M M M M M M)

## 52.2 Complaint Processing

**52.2.1** *A written directive requires the agency to investigate all complaints against the agency or employees of the agency.*

**Commentary:** The purpose of the standard is to require an appropriate investigation of all complaints, including anonymous complaints, against the agency or its employees. On occasion, malicious and deliberate false accusations are made

against the agency or its employees. These accusations should be investigated to protect the integrity of the agency or the employees, thereby instilling public confidence in the agency. In some cases, the extent of the investigation may be limited to substantiating the falsity of the accusations. (M M M M M M)

**52.2.2** *A written directive requires the agency to maintain a record of all complaints against the agency or its employees.*

**Commentary:** The confidentiality of these records is important and proper security precautions should be taken. This records activity should be a function of the internal affairs component and is an exception to the personnel records or centralized records systems. (See also standard 52.2.7.) (M M M M M M)

**52.2.3** *The agency provides written verification to complainants that the complaint has been received for processing.*

**Commentary:** The verification, usually in the form of a receipt, furnished to persons initiating complaints alleging misconduct on the part of the agency or an agency employee may contain a description of the investigative process. This standard does not apply to anonymous complaints. (O O O O O O)

**52.2.4** *The agency disseminates information to the public on procedures to be followed in registering complaints against the agency or its employees.*

**Commentary:** Procedures for registering complaints should be made available to the community through the media or the agency's community relations programs. This information should also be disseminated to all agency employees. (O O O O O O)

**52.2.5** *A written directive requires that the agency notify the complainant concerning the status of complaints against the agency or its employees.*

**Commentary:** In the public interest and to enhance police-community relations, the status of investigations should be communicated to the complainant periodically during and at the conclusion of an investigation. The degree of specificity of the notice is left to the discretion of the agency. (O O O O O O)

**52.2.6** *A written directive specifies the procedures for notifying the agency's chief executive officer of complaints against the agency or its employees.*

**Commentary:** The directive should specify the nature of those complaints that should be brought

immediately to the attention of the agency's chief executive officer and those that can be postponed to a later time. (O O O O O O)

**52.2.7** *Records pertaining to internal affairs investigations are maintained in a secure area by the individual responsible for the internal affairs function.*

**Commentary:** The purpose of this standard is to protect the confidentiality of all records associated with the investigative reports and documents related to an internal affairs case. (O O O O O O)

**52.2.8** *The agency publishes annual statistical summaries, based on the records of internal affairs investigations, for dissemination to the public and to agency employees.*

**Commentary:** The National Advisory Commission on Criminal Justice Standards and Goals publication, *Report on Police* (1983, 479), states: "The disclosure of internal discipline statistics does not violate the confidential nature of the process; such disclosure is often valuable because it tends to dispel allegations of disciplinary secrecy voiced by some community elements." (O O O O O O)

## 52.3 Operational Procedures

**52.3.1** *The agency maintains liaison with the prosecutor's office in investigations involving alleged criminal conduct on the part of an employee.*

**Commentary:** To protect further the integrity of the agency, it is important for the agency to maintain close liaison with the appropriate prosecutor's office. This liaison may include legal advice from the prosecutor and assistance in case preparation. (O O O O O O)

**52.3.2** *A written directive defines the type of complaints to be investigated by line supervisors that are to be reviewed by the agency's internal affairs function.*

**Commentary:** The investigation of complaints of employee misconduct of a minor nature should be conducted by the employee's immediate supervisor. However, the internal affairs component or individual responsible for the agency's internal affairs function should be a resource to the investigative process. This procedure will enhance consistency in dealing with internal affairs problems and help consolidate information on the incidence of internal affairs problems

in a designated component. (O O O O O O)

**52.3.3** *A written directive specifies the circumstances in which an employee may be relieved from duty.*

**Commentary:** The written directive should be supported by other documents establishing the powers and authority of the office of the chief executive. The relief from duty may be a temporary administrative action due to an employee's physical or psychological fitness for duty or an action pending disposition of an internal affairs investigation. The authority to relieve an officer from duty should extend to supervisory levels. (O O O O O O)

**52.3.4** *A written directive specifies the conditions, if any, under which instruments for the detection of deception are used in conducting internal affairs investigations.*

**Commentary:** The written directive should be based on the legal requirements in the jurisdiction, case law, and precedent and should be consistent with other administrative decisions. (O O O O O O)

**52.3.5** *A written directive specifies the conditions under which:*

- *medical or laboratory examinations are administered in conducting internal affairs investigations;*
- *photographs are taken of employees in conducting internal affairs investigations;*
- *an employee may be directed to participate in a line-up as part of an internal affairs investigation; and*
- *an employee may be required to submit financial disclosure statements as part of an internal affairs investigation.*

**Commentary:** The directive should be in the form of an order signed by the agency's chief executive officer. An employee may be required to submit to a medical or laboratory examination, at the agency's expense, when the examination is specifically directed and narrowly related to a particular internal affairs investigation being conducted by the agency. An example is the use of this process in determining drug use by employees.

An employee may also be required to be photographed, to participate in a line-up, and/or to submit a financial disclosure statement when the actions are material to a particular internal affairs investigation being conducted by the agency. (O O O O O O)

**52.3.6** *A written directive specifies a 30-day time limit for completing an internal affairs investigation, with status reports due every seven days.*

**Commentary:** The impact of an internal affairs case on the integrity of the agency and on employee

morale necessitates a speedy resolution to such issues. There may be exceptions to the 30-day limit, but extensions should be granted only in those cases in which extenuating circumstances exist. (O O O O O O)

# 53

## INSPECTIONAL SERVICES

The standards in this chapter relate to the inspectional process within a law enforcement agency. The inspectional process is an essential mechanism for evaluating the quality of the agency's operations, ensuring that the agency's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the agency. Inspections may include, for example, evaluation of facilities, vehicles, equipment, records, personnel, investigative procedures, crime reporting practices, and incident reports. The inspectional process compares the agency's formal expectations with actual performance. Inspections, conducted with clear objectives and a positive approach, provide a means of communication within the agency, not only "downward" but also "upward."

The inspectional process, at both the line and the staff levels, provides the chief executive officer and other managers and supervisors with a means of regularly assessing the agency's efficiency and effectiveness and provides information necessary to plan for change. Clear objectives for the inspectional process should be established; it should also be acknowledged that inspectional activity can properly evaluate performance only by comparing it with previously established goals, objectives, policies, procedures, and rules and regulations. All agencies should conduct line inspections, which should be carried out by supervisors at all levels. Larger agencies should also have formally organized staff inspection components.

This chapter covers both line (authoritative) inspections and staff inspections. Generally, line inspections should be conducted by first-line and mid-level supervisors, on a daily or weekly basis, to ensure that officers are adhering to basic agency policy, procedures, and rules and regulations. Staff inspections are usually conducted under the authority of the agency's chief executive officer and are generally in-depth examinations of particular functions or components of the agency. Staff inspections may be conducted by a separate organizational entity within the department or on an as-needed basis by agency personnel regularly assigned to other components. Both line and staff inspections generate findings, conclusions, recommendations, and reports for consideration by the agency's chief executive officer and provide valuable information that may affect agency planning efforts and the content of training programs.

### 53.1 Line Inspections

**53.1.1** *A written directive requires line inspections within the agency, and includes provisions for the following, at a minimum:*

- *procedures to be used in conducting line inspections;*
- *frequency of inspection;*
- *responsibilities of the supervisor at each level for both the conduct of inspections and correction of conditions discovered by the inspection;*
- *criteria to identify those inspections that require a written report;*

- *follow-up procedures to ensure corrective action has been taken; and*
- *inspection of all organizational components, facilities, property, equipment, activities, and personnel.*

**Commentary:** Line inspections should be an ongoing activity to ensure that employees are acting in concert with agency requirements in such areas as personal appearance, use and maintenance of equipment, and adherence to agency directives and orders. Line inspection is also con-

cerned with the status and conditions of physical facilities within a given organizational component. Line inspections should be a primary responsibility of supervisors and managers at every level of the agency and should provide a mechanism for achieving accountability within the agency.

If a staff inspections component exists within the agency, it should provide guidance, upon request, to line supervisors and also should be available to coordinate inspections within the agency.

(O O M M M M)

## 53.2 Staff Inspections

**53.2.1** *A written directive requires a staff inspections function within the agency, and includes provisions for the following, at a minimum:*

- *procedures to be used in conducting staff inspections;*
- *criteria to identify those inspections that require a written report;*
- *procedures to be used to follow-up the recommendations made as a result of the staff inspection; and*
- *a staff inspection to be conducted within all organizational components at least every two years.*

**Commentary:** The role of staff inspections is to ensure objective review of agency facilities, property, equipment, personnel, and administrative and operational activities outside the normal supervisory and line inspection procedures and the chain of command. The staff inspection process may be organized to meet the needs of the agency and, depending on the size of the agency,

may be carried out by a full-time component or involve the assignment of inspectional responsibilities to an individual within the agency with related responsibilities.

(N/A N/A O O O O)

**53.2.2** *If the agency has a full-time staff inspections component, a written directive describes the authority of the component.*

**Commentary:** The directive should state that personnel of the staff inspections component operate through authority of the agency's chief executive officer. The directive should also comment on the limits of authority of inspectors, e.g., that staff inspectors have no command authority over line components. The staff inspections component should not be organized as part of a line function, such as patrol or criminal investigations.

(N/A N/A O O O O)

## Glossary

TOPICAL AREA: INSPECTIONAL SERVICES

**AUTHORITATIVE INSPECTION:** A term that is sometimes used for "line" inspection. See below.

**LINE INSPECTION:** Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspection may be carried out by any supervisor within the chain of command and is often conducted by supervisory personnel who may also be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

**STAFF INSPECTION:** Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. Staff inspectors in larger agencies are generally members of a specialized component responsible for conducting inspections throughout the agency. The results of staff inspections are usually reported to the agency's chief executive officer.

# 54

## PUBLIC INFORMATION AND COMMUNITY RELATIONS

Standards in this chapter relate to the establishment and maintenance of public information and community relations functions.\*

To operate effectively, law enforcement agencies must have the support of their communities. Agencies can obtain such support by informing the public and news media of events that affect the lives of citizens in the community. In short, the agency's policy should be one of openness and candor.

To convey information, agencies often rely on the news media. Policies should be developed that govern what information should be released, when it should be released, and by whom it should be released. In large jurisdictions where media contacts are frequent and often of a sensitive nature, a full-time public information officer may be needed to coordinate activities; where the community served is small and media contacts infrequent, the assignment of the function to an individual as a part-time responsibility may suffice. In addition, agencies should consider procedures for issuing credentials to news media representatives, for involving the media in the development of policies affecting the news media, and for determining when a public information officer should respond to the scene of a crime or other event.

Standards in the subchapter on Community Relations (54.2) are formulated with the specific intent of identifying and addressing problems arising between law enforcement agencies and all segments of their service population. Agencies should establish formal relationships with the many community organizations that exist in their jurisdictions. More importantly, agencies should play an active role in organizing such groups where they do not exist. By establishing such links with the community, law enforcement agencies can learn of issues and respond to them before they become problems. By developing programs that increase the community's understanding of the activities and role of the agency, agencies can increase public confidence while lessening obstacles to implementing new programs and approaches that could fail for want of public understanding or accurate information.

### 54.1 Public Information

**54.1.1** *A written directive states that the agency is committed to informing the community and the news media of events within the public domain that are handled by or involve the agency.*

\*A state-level agency must comply with those public information and community relations standards that are consistent with its mission. A state agency is not expected to perform public information and community relations activities that would interfere with those provided by local agencies, but it may assist local departments as deemed appropriate. State agencies may wish to consult Commission staff about the applicability of these standards to their operations.

**Commentary:** To operate effectively, law enforcement agencies must obtain the support of the public they serve. By providing the news media and the community with information on agency administration and operations, the agency can foster a relationship of mutual trust, cooperation, and respect. (M M M M M M)

**54.1.2** *A written directive establishes a public information function, to include:*

- *assisting news personnel in covering routine news stories, and at the scenes of incidents;*

- being available for on-call responses to the news media;
- preparing and distributing agency news releases;
- arranging for, and assisting at, news conferences;
- coordinating and authorizing the release of information about victims, witnesses, and suspects;
- assisting in crisis situations within the agency; and
- coordinating and authorizing the release of information concerning confidential agency investigations and operations.

**Commentary:** The agency's written directive should address how the agency will handle potential situations in which the news media are interested in agency operations, as well as situations in which the agency wishes to generate media interest. (M M M M M M)

**54.1.3** A written directive specifies a position in the agency responsible for the public information function.

**Commentary:** The intent of the standard is to ensure that the agency has a point of control for disseminating information to the community, to the media, and to other criminal justice agencies.

In smaller agencies these activities may be assigned as part-time responsibilities; in larger agencies the activities may be assigned to a full-time public information officer or component.

The directive should also establish procedures to guide the actions of the public information officer in daily operations as well as at the scene of crimes, catastrophes, special events, and unusual occurrences. (M M M M M M)

**54.1.4** A written directive establishes the procedures for press releases, to include:

- frequency of press releases
- subject matter
- media recipients

**Commentary:** The agency should have procedures that address the criteria to be used in determining (1) the need for press releases on a daily or weekly basis, or as necessitated by specific occurrences in the agency's service area and (2) the content and the extent of coverage of agency activities.

The directive should also include policy on disseminating material in such a manner to ensure that first-release information is equally available to all news media. Press releases may be issued in bulletin form or through tape-recorded mes-

sages, as long as the agency has addressed the equal-access issue.  
(O O O O O O)

**54.1.5** A written directive identifies—by name or position held—those within the agency who may release information to the news media:

- at the scene of an incident;
- from agency files;
- concerning an ongoing criminal investigation; and/or
- at any time that the public information officer is not available.

**Commentary:** Situations may arise when the agency's public information officer is not available or events at the scene of an incident or other fast-breaking event require an immediate agency spokesperson. (M M M M M M)

**54.1.6** A written directive establishes criteria and procedures for issuing and revoking credentials to news media representatives.

**Commentary:** Because of the unique relationship between agencies and news media personnel, agencies should develop procedures governing the issuance and the revocation of credentials, as well as criteria for the conduct of news media representatives. The agency policy should not attempt to limit the number of credentials issued but should make media representatives aware of their obligations and responsibilities as they cover daily assignments and special events. Credentials should be revoked only when the criteria governing conduct have been violated. If credentials are revoked, a statement should be sent to the concerned individual's employer citing the specific violation.  
(O O O O O O)

**54.1.7** A written directive governs the access of news media representatives, including photographers, to the:

- scenes of major fires, natural disasters, or other catastrophic events; and
- perimeter of crime scenes.

**Commentary:** News media representatives should not be in a position to interfere with law enforcement operations at the scene of an incident. The guidelines for news media access, including access by photographers, to the scene should be communicated to the media to help ensure their cooperation. (M M M M M M)

**54.1.8** A written directive establishes procedures for involving the news media in the development of

*changes in policies and procedures relating to the news media.*

**Commentary:** By allowing media representatives to participate in the process of developing policies and procedures relating to the news media, agencies can demonstrate that they value good rapport with the media and appreciate the problems such persons confront in their daily work. (O O O G O O)

**54.1.9** *A written directive specifies the information held by the agency regarding ongoing criminal investigations that may be released to the news media.*

**Commentary:** The intent of the standard is that the agency provide specific guidance to personnel regarding the release of information about (1) the prior criminal record, character, or reputation of the accused; (2) mugshots of the accused; (3) the existence of any confession, admission of guilt, or statement made by the accused or the failure or refusal by the accused to make a statement; (4) the results of any examinations or tests conducted or refusal by the accused to submit to any examinations or tests; (5) the identity, testimony, or credibility of any prospective witness; (6) any opinion of agency personnel regarding the guilt or innocence of the accused; (7) any opinion of agency personnel regarding the merits of the case or quality of evidence gathered; (8) personal information identifying the victim; (9) information identifying juveniles; and (10) information received from other law enforcement agencies without their concurrence in releasing that information. (M M M M M M)

**54.1.10** *A written directive requires that information released under standard 54.1.9 be reported to the agency's public information officer as soon as possible.*

**Commentary:** The person responsible for the public information function should not have to rely on the media to be informed of newsworthy events involving the agency that occur within the agency's service area. Moreover, such information should be conveyed in a timely fashion. (O O O O O O)

**54.1.11** *A written directive establishes agency procedures for releasing information when other service agencies are involved in a mutual effort.*

**Commentary:** The word "agencies" as used above is meant to refer to all public service agencies (e.g., fire departments and coroners' offices). In instances in which more than one agency is involved, the agency having primary jurisdiction should be responsible for releasing, or coordinat-

ing the release of, information. (O O O O O O)

## 54.2 Community Relations

**54.2.1** *A written directive states that the agency is committed to establishing close ties with and responding to the needs of the community.*

**Commentary:** A statement of agency commitment serves a twofold purpose. First, it assures members of the community that the agency is, in fact, concerned with meeting their needs. Second, it acts as an internal statement of policy that guides officers' conduct. (M M M M M M)

**54.2.2** *A written directive establishes a community relations function within the agency.*

**Commentary:** Law enforcement agencies should establish direct contacts with the community served. Without "grass root" community support, successful enforcement of traffic, vice, and other laws may be difficult if not impossible. A well-organized community relations operation can be an effective means of eliciting public support and can serve to identify problems in the making. (M M M M M M)

**54.2.3** *A written directive requires that the agency establish a community relations plan that includes, at a minimum, provisions for the following:*

- *establishing liaison with formal community organizations and other community groups;*
- *developing community relations policies for the agency (as a whole);*
- *publicizing agency objectives, problems, and successes;*
- *conveying information transmitted from citizens' organizations to the agency;*
- *improving agency practices bearing on police-community relations;*
- *identifying training needs through interviews with citizen representatives, consultations with those involved in internal investigations, and conferences with supervisors; and*
- *establishing community groups where such groups do not exist.*

**Commentary:** The program elements above should not be considered all inclusive. Programs established and activities conducted should be limited in scope only by the imagination and resourcefulness of those involved. The plan can be incorporated in the directive. The intent is that the plan be written. (M M M M M M)

**54.2.4** *A written directive specifies a position in the agency responsible for the community relations function.*

**Commentary:** Although each officer is responsible for promoting community relations, the intent of the standard is to vest the authority and responsibility for developing and coordinating the agency's community relations function in an identifiable position. The person in the position should have direct access to the chief executive officer and should advise command-level staff generally. (M M M M M M)

**54.2.5** *A written directive states that the responsibility for achieving the agency's community relations objectives is shared by all personnel.*

**Commentary:** Because the conduct of each employee reflects on the agency as a whole, the burden of achieving the agency's community relations objectives should be shared. More importantly, a unified, coordinated effort will require the participation, enthusiasm, and skills of all agency personnel. (O O O O O O)

**54.2.6** *A written directive requires that, at least monthly, the person or persons responsible for the community relations function prepare and submit to the agency's chief executive officer a report that includes, at a minimum, the following elements:*

- a description of current concerns voiced by the community;
- a description of potential problems that have a bearing on law enforcement activities within the community; and
- a statement of recommended actions that address previously identified concerns and problems.

**Commentary:** During his or her routine activities, the officer responsible for community relations will become aware of areas of concern to community residents and of situations that could develop into problems affecting law enforcement in the community. These concerns and problems should, at a minimum, be communicated to the chief executive officer of the department, both to provide information on conditions in the community and to allow the chief executive officer to react in a timely manner to alleviate concerns and avert problems. Ideally, these reports should also be disseminated to other concerned command-level personnel. Moreover, because of his or her continued close contact with community residents, the individual responsible for community relations is in a unique position to propose solutions to identified problem areas. (O O O M M M)

**54.2.7** *A written directive requires that all community relations programs be evaluated semianually, at a minimum.*

**Commentary:** Ideally, community relations programs should be evaluated on an ongoing basis. Communities are not static entities; consequently, the demands placed on law enforcement agencies vary. Programs designed to meet community needs, therefore, should be evaluated frequently to ensure that they do, in fact, still address community concerns. (M M M M M M)

**54.2.8** *A written directive states that the agency is committed to correcting actions, practices, and attitudes that may contribute to community tensions and grievances.*

**Commentary:** The intent of this standard is to communicate to law enforcement agency personnel, and thereby the community, the need to identify and rectify actions, procedures, and attitudes that may lead to racial and other unrest. By recognizing such problems at an early stage, preventive action can be taken by the agency that might well ward off greater problems in the future. (M M M M M M)

**54.2.9** *An annual survey of citizen attitudes and opinions is conducted with respect to:*

- overall agency performance;
- overall competence of agency employees;
- officers' attitudes and behavior toward citizens;
- concern over safety and security within the agency's service area as a whole;
- concern over safety and security within the beat where the respondent lives; and
- recommendations and suggestions for improvements.

**Commentary:** The use of surveys is widespread in both the public and private sector. Law enforcement agencies should use citizen attitude surveys to complement other sources of information used in the decision-making process. The survey should use established research practices, such as random sampling of at least 1 percent of the population and sampling within each motorized patrol beat in proportion to the ratio of population within the beat to total population in the jurisdiction. The survey may be conducted by mail, in person, or by telephone and may be combined with questions relating to victimization and other issues. The results of the survey should be provided to the community. The survey may be carried out directly by agency personnel or by others with agency guidance. (O O O O O O)

**54.2.10** *A written directive establishes procedures for obtaining community input in the development of law enforcement agency policies.*

**Commentary:** Input from the community can help ensure that agency policies accurately reflect the needs of the community. There are a number of ways to achieve community input, such as the use of police-citizen neighborhood councils or public opinion surveys. (O O O O O O)

## NOTES

# 61

## TRAFFIC ADMINISTRATION

Standards in this chapter govern the administrative and support processes that enable the agency to execute its responsibilities for traffic law enforcement.

Traffic-support activities include data collection and analysis, formulation of policy and procedures, development of effective enforcement techniques, program planning, personnel allocation and utilization, and program evaluation.

### 61.1 Organization

**61.1.1** *The agency has a formally organized traffic component.*

**Commentary:** There are many levels and degrees of specialization; however, at a minimum, the traffic component should be responsible for the planning, analysis, monitoring, and coordination of the agency's traffic activities. Additional levels of specialization should be determined by agency need and may be performed by line or staff units. These activities may include (1) technical accident investigation, (2) operation of speed-measuring devices (radar, VASCAR, etc.), (3) operation of breath test equipment, (4) parking/congestion control, (5) supervision of adult crossing guards, (6) traffic safety education, and (7) liaison with traffic safety groups. (Note: This standard does not require a centralized, operational-level traffic component.)

(O O O M M M)

**61.1.2** *A written directive establishes the functions of the traffic component.*

**Commentary:** A clear definition of function enables officers to know what actions are in concert with agency policy, thus facilitating the delivery of services to the community.

Depending upon the organization of the traffic component and the degree of specialization within it, responsibilities for particular functions may be assigned to the patrol or other specialized component. (O O O M M M)

**61.1.3** *The agency has written performance objectives for the traffic component.*

**Commentary:** Objectives should be reasonable, attainable, quantifiable, measurable where possible, and sufficiently flexible to permit change

as needed. Objectives should be reviewed at least annually, and an evaluation of the progress made toward the attainment of these goals should be submitted to the agency's chief executive officer. The directive should be disseminated to all uniformed personnel. (O O O M M M)

**61.1.4** *A written directive states that the responsibility for enforcing traffic laws and regulations is shared by all uniformed personnel.*

**Commentary:** Since there is a close interrelationship between traffic enforcement and all other law enforcement activities, the responsibility for enforcing traffic laws and regulations must be shared by all uniformed personnel.

(M M M M M M)

### 61.2 Traffic Records

**61.2.1** *The agency has a traffic records system containing:*

- traffic accident data (reports/investigations/locations);
- traffic enforcement data (citations/arrests/dispositions/locations);
- roadway hazard reports;
- traffic safety education reports;
- traffic volume data;
- traffic volume and distribution reports; and
- traffic enforcement activity reports.

**Commentary:** The traffic records system should rapidly provide accurate information to field personnel who are performing primary traffic functions; it should also provide compilations of data

upon which management decisions may be based. Some of the required data may be collected and disseminated by other state/local agencies. It is not the intent of this standard to require dual recordkeeping so long as the data are readily available to the agency.

The records file should contain the locations of all traffic accidents and citations to provide a ready reference for accident/enforcement data related to specific intersections or segments of highways. (M M M M M M)

**61.2.2** *A written directive governs the agency's traffic records system, to include:*

- processing, maintenance, and distribution of records;
- retention requirements; and
- release of records.

**Commentary:** Traffic records should be included in the agency's centralized records system. The directive should ensure prompt transmittal of required copies to affected components and to appropriate state/local agencies as required by statute or agency policy. The agency may establish a reasonable fee for providing copies of accident report forms and/or accident photographs. (M M M M M M)

**61.2.3** *The agency has a computerized or manual system for recording accident and citation locations.*

**Commentary:** There are a number of computerized and manual systems available to assist agencies in determining concentrations of accidents and enforcement activities that may warrant detailed analysis. Large agencies should maintain limited-time-span reports in four- to eight-hour increments to identify accident patterns unique to specific time periods. A single map would satisfy the intent of this standard. Spot maps might be used to supplement rather than replace location files.

Comparison of current spot maps with previous maps can help to reveal changing accident and enforcement patterns. Therefore, spot maps should be maintained for at least two years. (O O O O O O)

**61.2.4** *A written directive establishes a traffic report review process.*

**Commentary:** The directive should require supervisors to conduct an initial review of traffic reports to ensure that they are submitted in a timely manner and contain complete and accurate information. There should be a continuing

formal review process to ensure that the capabilities of the agency's records system are both understood and used. This review will also identify problems and essential modifications. (M M M M M M)

**61.2.5** *A written directive governs preparation and distribution of traffic enforcement/accident data summaries, to include:*

- type of data to be summarized;
- format for summary reports; and
- time periods to be covered.

**Commentary:** Traffic enforcement/accident data summaries should be used to support field operations, program planning, development of countermeasures, and evaluation of program effectiveness. (O O O O O O)

### 61.3 Selective Enforcement

**61.3.1** *A written directive governs the agency's selective traffic enforcement functions, to include procedures for:*

- analysis of traffic accidents;
- analysis of traffic enforcement activities;
- implementation of selective enforcement techniques and procedures; and
- use of equipment.

**Commentary:** The ultimate goal of selective traffic law enforcement is to reduce traffic accidents. This may be achieved through the application of such techniques as (1) scientific geographic/temporal assignment of personnel and equipment and (2) the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. The techniques used should be based on accident data, enforcement activity records, traffic volume, and traffic conditions.

The analysis of location, time, and violation factors in vehicle collisions should be based upon a numerically significant sample. It is also essential to analyze fluctuations caused by seasonal variations that result in increases in traffic volume and/or accidents. In rural or suburban areas, basing these studies on an annual accident experience may be necessary to provide a sufficient data base for analysis. However, as traffic densities and accident rates increase, a more frequent reporting cycle should be considered. (O M M M M M)

**61.3.2** *A written directive designates the position or person responsible for traffic analysis.*

**Commentary:** The complexities and demands of the traffic program require the attention and skills of a traffic analyst. The analyst should possess skills gained through training and experience necessary for conducting statistical analyses of accident and enforcement data and program evaluations. (N/A O O O M M)

**61.3.3** *Analyses of traffic accidents include geographic, temporal, and causative factors.*

**Commentary:** Analyses of the traffic accident experience should consider a number of specific factors, including the kinds of vehicles involved, the volume of traffic, environmental factors, and the types of violations noted. Temporal factors should include the day of the week and the hourly distribution of accidents. Proper investigative and reporting procedures and adequate information storage and retrieval systems are essential to these analyses. (N/A O O O M M)

**61.3.4** *A traffic accident analysis report is provided to the supervisor responsible for the traffic enforcement function.*

**Commentary:** See standard 61.3.1. Information provided through the analysis activity should enable the responsible supervisor to identify enforcement problems in order to deploy personnel and equipment resources effectively. (N/A O O O M M)

**61.3.5** *A written directive requires selective enforcement activities to be based on analyses of the traffic accident experience.*

**Commentary:** Assigning priorities as to the kinds of violations needing attention by enforcement units is critical to the success of the selective enforcement program. The most appropriate enforcement actions for modifying accident-causing behavior may be ascertained by tabulating the most common contributing factors. This can be done by simple charts in small agencies; data processing resources may be required for larger agencies. The objective is to obtain the kind of enforcement efforts that are directed toward violations in proportion to the frequency with which they occur in accident situations and to respond to traffic-related needs identified in the agency's service community. (N/A O O O M M)

**61.3.6** *An evaluation of the selective traffic law enforcement program is conducted annually.*

**Commentary:** The evaluation should attempt to ascertain the effectiveness of selective traffic law enforcement efforts and include a comparison of work required against work accomplished. Tabulation of all enforcement activity, including warnings and citations, should be completed and analyzed. (N/A O O O O O)

## **61.4 Personnel Deployment**

**61.4.1** *A written directive governs the deployment of traffic enforcement personnel.*

**Commentary:** Traffic enforcement personnel should be deployed to areas having the greatest concentration of accidents and calls for traffic services, and at the times experience has shown these to occur. Assignments should be such that, at any given hour, the percentage of units on duty approximates the accident experience. The directive should stipulate that the purpose of the assignments is to take enforcement action against those violations determined to cause accidents and should involve countermeasures ascertained to be the most effective for the specific enforcement problems involved. Accident location data should also influence the geographic distribution of general patrol units. (N/A O O M M M)

**61.4.2** *The deployment of traffic law enforcement personnel is based on an analysis of traffic accidents and traffic-related calls for services covering the most recent three-year period.*

**Commentary:** Accident experience during the previous three years should be examined to provide data that include all seasons of the year and allow for variations that occur as the result of weather, population shifts, and monthly or seasonal increases or reductions in traffic volumes. A profile of all calls for services should be developed and analyzed along with accident data. (N/A O O O M M)

(Note: A glossary of traffic terms follows Chapter 66.)

## NOTES

# 62

## TRAFFIC LAW ENFORCEMENT

Standards in this chapter govern the agency's traffic law enforcement activities performed by the patrol component and the specialized traffic component. These activities are specifically directed toward controlling alleged violations through preventive patrol and active enforcement. The standards also govern relationships with motorists, pedestrians, courts, and prosecutors.

Standards in Chapter 41 (Patrol) are directly related to traffic law enforcement since many traffic functions are normally performed by the patrol component.

### 62.1 Traffic Law Enforcement

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

- physical arrest
- citation (notice to appear)
- warnings (if used)

**Commentary:** The directive should establish guidelines to ensure that enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. Warnings (written or verbal) or other nonpunitive enforcement actions should be substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations. The directive should discourage emphasis on quantitative enforcement activities (such as ticket quotas) and acknowledge that both qualitative and quantitative emphases are integral to the agency's traffic enforcement program. (M M M M M M)

**62.1.2** *A written directive establishes procedures for handling traffic law violations committed by:*

- nonresidents of the agency's service area;
- juveniles;
- legislators;
- foreign diplomats/consular officials; and
- military personnel.

**Commentary:** The written directive should address all special processing requirements (e.g., diplomatic or legislative immunity) or procedures that apply to traffic law violations committed by the classes of persons enumerated above

and any others that require special processing by virtue of local mandate.  
(M M M M M M)

**62.1.3** *At the time a motorist is charged with a violation, the agency provides information relative to the specific charge, to include:*

- court appearance schedule;
- whether court appearance by the motorist is mandatory;
- whether the motorist may be allowed to enter a plea and/or pay the fine by mail or at a traffic violations bureau; and
- other information that must be provided to the motorist prior to release.

**Commentary:** It is essential that officers fully explain the rights and requirements imposed on motorists upon arrest or issuance of a citation for a traffic violation. An informational pamphlet explaining the motorist's rights and responsibilities issued with the citation can augment the information provided verbally by the officer.  
(M M M M M M)

**62.1.4** *A written directive establishes uniform enforcement policies for traffic law violations, to include:*

- driving under the influence of alcohol/drugs;
- speed violations;
- other hazardous violations;
- equipment violations;
- public carrier/commercial vehicle violations;
- other nonhazardous violations;

- multiple violations; and
- newly enacted laws and/or regulations.

**Commentary:** The intent of this directive is to provide guidelines for uniform traffic law enforcement actions for routine situations. Uniform enforcement supports the ultimate aim of traffic law enforcement, that is, to achieve voluntary compliance with traffic laws and regulations. The policy cannot and should not supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer must decide what enforcement action is proper based on a combination of training, experience, and common sense. (M M M M M M)

**62.1.5** A written directive governs traffic law enforcement practices, to include:

- visible traffic patrol (area, line, directed);
- stationary observation (covert and overt); and
- use of unmarked or unconventional vehicles.

**Commentary:** The directive should specify the circumstances warranting the use of unmarked/unconventional vehicles and concealed observation. All unmarked vehicles used for traffic law enforcement should be equipped with emergency lights (red/blue/ white) and a siren.

(O O O O O O)

**62.1.6** A written directive establishes guidelines for use of authorized emergency equipment, to include:

- emergency (red/blue/white) lights
- siren
- hazardous warning lights
- spotlight
- public address system

**Commentary:** The proper use of emergency equipment is essential to the safety of the officer and other motorists. While state or local laws and ordinances generally specify when emergency equipment must be used, there are special circumstances under which the unnecessary use of emergency equipment compounds traffic problems. The directive should establish guidelines for the use of emergency equipment in the following situations: (1) pursuit, (2) response to an emergency, (3) response to a crime in progress, (4) stopping violators, (5) motorist assistance, and (6) parking (on/off roadway).

(M M M M M M)

**62.1.7** A written directive governs preparation and processing of traffic citations, arrest reports, and other supplemental reports.

**Commentary:** Traffic citations and arrest reports form the basis for prosecution and ultimate adjudication of traffic offenses; thus it is essential that specific guidelines on their preparation, processing, and distribution be provided to field personnel. The directive should provide guidelines for preparation, processing, and distribution of supplemental report forms.

(M M M M M M)

**62.1.8** A written directive establishes procedures governing accountability for traffic citations.

**Commentary:** The directive should ensure that traffic citations are accounted for from the point of issuance to individual officers through final adjudication by the court or administrative authority. The directive should also address (1) logging of court dispositions, (2) lost or stolen citations, (3) voided citations, (4) amended/dismissed citations, and (5) audit procedures.

(M M M M M M)

**62.1.9** A written directive establishes procedures for officers in the conduct of their relations with traffic violators.

**Commentary:** The purpose of this directive is to provide guidelines to ensure that officers take proper enforcement action and attempt to alter favorably the violator's future driving habits. The procedures should minimize conflict between the officer and the violator and facilitate a professional process.

Once the officer has stopped the violator and is about to communicate with him or her, officer-violator relations are activated. The directive should address (1) professional image, dress, grooming, language, bearing, and emotional stability; (2) certainty of observation of alleged violations; (3) preparedness—having necessary equipment and forms available; (4) greeting violator with appropriate title in a courteous manner; (5) requesting driver's license and vehicle registration or other identification; (6) discussion of violation and required actions; (7) completion of required forms; (8) checking for signs of physical impairment, emotional distress, and alcohol and/or drug abuse; and (9) assisting violator to reenter the traffic flow safely.

(O O O O O O)

**62.1.10** A written directive establishes procedures for stopping and approaching traffic law violators.

**Commentary:** Although enforcing traffic laws is one of the more routine functions that law enforcement officers perform, all too frequently officers are injured or killed in the process. Therefore, the agency should provide detailed instruc-

tions to officers on procedures for making contact with violating motorists; methods for making an effective stop that is safe to the officer and to the motorist; approach procedures; responsibilities for calling in traffic stop information, etc.

(M M M M M M)

**62.1.11** *A written directive establishes procedures for handling motorists charged with operating a vehicle after their driving privileges have been revoked or suspended.*

**Commentary:** The directive should include guidelines to ensure proper handling of motorists suspected or charged with operating a motor vehicle after their driving privileges have been revoked or suspended, to include (1) circumstances warranting physical arrest and (2) appropriate alternatives to physical arrest when the actual status of the motorist's driving privilege cannot be determined. (O O O O O O)

**62.1.12** *A written directive governs the use of speed-measuring devices in traffic law enforcement, to include:*

- equipment specifications
- operational procedures
- proper care and upkeep
- programmed maintenance
- maintenance and calibration records
- operator training and certification

**Commentary:** The directive should include guidelines to ensure that traffic safety and energy conservation goals and objectives are met. The agency should ensure that officers utilizing speed-measuring devices (radar, VASCAR, speedometer, stopwatch, etc.) are fully trained before they are authorized to use such devices for traffic law enforcement. Operators should be required to demonstrate their competence with each device under varying conditions in supervised field performance tests. The training and equipment standards should be equivalent to the model standards promulgated by the National Highway Traffic Safety Administration (NHTSA).

(M M M M M M)

**62.1.13** *A written directive establishes the agency's alcohol enforcement countermeasures program.*

**Commentary:** The primary objective of the program should be to reduce alcohol- and/or drug-related traffic offenses by fielding units that are specially trained and equipped to apprehend and process alcohol- or drug-impaired drivers. Special emphasis should be placed on enforcement

of laws related to driving while intoxicated and other statutes restricting drinking and driving. Training should be provided to develop officer skills in detecting those persons who are under the influence of alcohol or drugs.

The agency should consider using the following countermeasures in various combinations in their selective alcohol enforcement program: (1) selective assignment of personnel at the time when and to the locations where analyses have shown a significant number of violations and/or accidents involving impaired drivers have occurred; (2) selective surveillance of roadways on which there has been an unusual incidence of drinking-driving accidents to ascertain the characteristic violation profile of the problem drinker who drives; (3) selected alcohol-related accident investigations and analyses of findings; (4) selective roadway checks for deterrence purposes; and (5) selective enforcement of drinking-driving laws through concentration on existing laws and the expeditious processing of violators.

(O O M M M M)

**62.1.14** *A written directive establishes procedures for handling persons charged with driving while under the influence of alcohol or drugs.*

**Commentary:** The arrest of a person for driving while intoxicated differs significantly from the handling of other traffic law violations. In most jurisdictions, for instance, implied consent statutes and legislation that defines intoxication in terms of blood alcohol levels have been enacted. These statutes include many provisions affecting an officer's authority. Therefore, detailed guidance should be provided to officers based on the pertinent legal requirements of the jurisdiction. Procedures should address the methods to be employed for (1) proper administration of preliminary and evidentiary breath tests, (2) safe transportation of impaired arrestees, (3) procurement of blood and urine testing where governing statutes give the arrestee a choice of these tests in addition or as an alternative to a breath test, (4) incarceration or release to a responsible third party, and (5) disposition of the arrestee's vehicle.

(M M M M M M)

**62.1.15** *A written directive establishes procedures for identification and referral of drivers recommended for reexamination by licensing authorities.*

**Commentary:** Routine enforcement, accident reporting, and investigation activities frequently lead to the discovery of drivers who have suspected incompetency, physical or mental disability, disease, or other conditions that might prevent the person from exercising reasonable

and ordinary care over a motor vehicle. In addition to reports related to the action or incident for which the motorist was stopped, the actual or suspected impairments should also be brought to the attention of the state drivers' licensing authority. (O O O O O O)

**62.1.16** *A written directive governs the agency's pedestrian and bicycle traffic enforcement program.*

**Commentary:** The agency should adopt a position on pedestrian and bicycle enforcement commensurate with its accident experiences, similar to the selective enforcement program established for motorists.

The identification of the causes of pedestrian accidents requires specific detail in order to establish a sound foundation for countermeasures. The countermeasures should reduce or eliminate (1) human, vehicular, or environmental factors leading to an accident; (2) behavioral actions, decisions, and events that lead directly to an accident; and (3) an accident type, by counteracting the precipitating factors. The directive should reflect expected enforcement activity relating to investigations of bicycle accidents and enforcement of bicycle violations.

(O O O O O O)

**62.1.17** *A written directive governs the agency's traffic enforcement activities concerning off-road vehicles.*

**Commentary:** As off-road recreational vehicles (e.g., dirt bikes, snowmobiles, minibikes) have become more popular, an increasingly large number of them are being used unlawfully on the trafficway. A wide range and variety of local conditions can exist that would influence local policy decisions; however, the directive should reflect expected law enforcement activity relating to investigations of off-road vehicle accidents and enforcement of off-road vehicle regulations. Specific issues that should be addressed are (1) removal of unlicensed vehicles from the trafficway, (2) juvenile offenders, (3) violation of off-road vehicle registration laws, (4) misuse of public trails, and (5) improper use of trafficway crossings.

(O O O O O O)

**62.1.18** *A written directive governs the agency's parking enforcement activities.*

**Commentary:** The directive should address the following parking control situations: (1) use of wheel-lock devices, (2) peak traffic hours, (3) tow-away zones, (4) time zone control, (5) general surveillance, and (6) vehicle or foot patrol.

(O O M M M M)

(Note: A glossary of traffic terms follows Chapter 66.)

# 63

## TRAFFIC ACCIDENT INVESTIGATION

Standards in this chapter govern agency activities connected with or related to traffic accidents, including:

- providing emergency assistance to the injured;
- protecting the accident scene;
- conducting at-scene and follow-up investigations;
- preparing reports; and
- taking proper enforcement action relative to the incident.

### 63.1 Accident Reporting and Investigation

**63.1.1** *A written directive governs accident reporting and investigation to include accidents involving:*

- death or injury
- property damage
- hit and run
- impairment due to alcohol or drugs
- hazardous materials

**Commentary:** The directive should establish procedures to ensure that the agency's accident reporting and investigation responsibilities are efficiently and effectively carried out. The directive should specify which accidents require investigation and which accidents require only a report. (M M M M M M)

**63.1.2** *A written directive requires officer response to the scene of an accident involving any of the following:*

- death or injury;
- hit and run;
- impairment of an operator due to alcohol or drugs;
- damage to public vehicles or property;
- hazardous materials;
- disturbances between principals;
- major traffic congestion as a result of the accident; or
- damage to vehicles to the extent towing is required.

**Commentary:** One or more officers should respond to the scene of a serious or complex accident to provide emergency services, investigate the accident, record short-lived evidence, and restore the normal flow of traffic. In less serious accidents, officer response should be influenced by the workload and by the availability of officers. The directive should also specify the circumstances that permit the suspension of investigations—for example, during snow emergencies—and when drivers may report property-damage-only accidents in person (at the nearest agency office) and/or by telephone. This policy should be communicated to motorists through the agency's public information program. (M M M M M M)

**63.1.3** *A written directive specifies accident scene responsibilities for the first officer to respond.*

**Commentary:** The intent of the standard is to provide procedural guidance to officers who may be the first to arrive at the scene of an accident. The procedures should include: (1) administering emergency medical care and providing basic life support; (2) summoning ambulance and/or additional assistance (e.g., officers, rescue squad, tow truck, etc.); (3) protecting the accident scene; (4) preserving short-lived evidence; (5) establishing a safe traffic pattern around the scene; (6) locating witnesses and recording accident information; and (7) expediting the removal from the roadway of vehicles, persons, and debris.

Failure to expedite removal from the roadway of vehicles involved in accidents results in unne-

essary congestion and is a contributing factor in additional serious collisions, especially on high-speed and limited-access highways.

Agency policy should require motorists to remove immediately from the roadway vehicles involved in property-damage-only accidents, whenever possible and/or practical, to eliminate unnecessary blockage of the roadway. This policy should be communicated to motorists through the agency's public information program.

(O O O O O O)

**63.1.4** A written directive establishes a procedure for determining the officer or investigator who is in charge at the accident scene.

**Commentary:** To ensure that all required tasks are carried out, guidelines should specify who is in charge when more than one officer or other investigator is at the scene of an accident or other emergency. This is especially important in agencies where supervisory personnel do not routinely respond to accidents or other emergencies. (Standards covering interagency relationships are contained in Chapter 4.)

(M M M M M M)

**63.1.5** A written directive establishes procedures for at-scene accident information collection, to include:

- interviewing principals and witnesses;
- examining/recording vehicle damage;
- examining/recording effects of accident on the roadway;
- taking measurements, as appropriate;
- taking photographs, as appropriate;
- collecting/preserving evidence; and
- exchanging information among principals.

**Commentary:** The directive should ensure that data are obtained in a manner that permits tabulation according to standard classifications and in amounts needed (1) to support planning and coordinated accident prevention programs within the agency and by other agencies and (2) to support prosecution for violation of traffic laws and ordinances. Standards covering photographing accident scenes and the collection/preservation of evidence are contained in Chapter 83.

(O O O O O O)

**63.1.6** A written directive establishes procedures for accident investigation follow-up activities, to include:

- collecting off-scene data;
- obtaining/recording formal statements from witnesses;

- reconstructing accidents; and
- preparing formal reports to support any criminal charges arising from the accident.

**Commentary:** This standard is not intended to require all of these activities in every investigation; however, the directive should establish when and how these activities should be conducted. In some cases, the services of experts or other technical capabilities that are not available within the agency may be required. The agency may also engage in temporary investigation programs to gather additional data about driver, pedestrian, vehicle, roadway controls, or related collision information for special research studies.

(O O O O O O)

**63.1.7** A written directive governs the use of expert and technical assistance in accident investigations.

**Commentary:** The directive should specify the circumstances under which the investigator may obtain expert or technical assistance from photographers, surveyors, mechanics, physicians, or other specialists. (O O O O O O)

**63.1.8** A written directive specifies the accident investigation equipment and emergency medical supplies to be carried in patrol vehicles.

**Commentary:** Agency patrol vehicles should be equipped with basic accident investigation (AI) equipment and emergency medical supplies to enable officers to respond adequately to accidents or other emergencies. In addition to the emergency equipment installed on the patrol vehicle, each car should be equipped with: (1) basic emergency medical supplies; (2) two blankets in a suitable container; (3) fire extinguisher; (4) adequate supply of flares (minimum of 12); (5) wrecking bar or other extrication device; (6) sharp knife; and (7) an AI kit containing clipboard, 100-foot measuring tape, marking crayon, AI template, and accident and supplementary report forms.

The amount and type of equipment carried in patrol vehicles depend on the mission of the patrol officer. If specialized accident investigation units are utilized, less equipment may be carried in patrol vehicles. If the patrol officer conducts the complete investigation, additional equipment, such as a camera, may be carried.

(M M M M M M)

**63.1.9** A written directive establishes guidelines for taking enforcement action for violations resulting in traffic accidents.

**Commentary:** The guidelines should address those incidents not occurring in the officer's presence and/or on private property. The agency may specify that whenever the investigating officer detects a violation of a traffic law or ordinance and evidence exists to satisfy all the elements of the particular violation enforcement action should be taken. (M M M M M M)

**63.1.10** *A written directive governs the reporting or investigating of traffic accidents occurring on private property.*

**Commentary:** The directive should specify the particular circumstances under which accidents occurring on private property are to be reported or investigated. In circumstances that do not warrant an investigation, the responding officer should prepare an incident report providing a brief description of the event. (M M M M M M)

## 63.2 At-scene Stabilization Activities

**63.2.1** *A written directive governs traffic direction and control at accident scenes.*

**Commentary:** The directive should specify procedures for use of special equipment (e.g., flares, reflectors, barricades, traffic cones, etc.) to protect the scene and for the temporary detour of traffic. (O O O O O O)

**63.2.2** *A written directive establishes accident scene procedures for handling:*

- injuries
- fire hazards
- hazardous materials

**Commentary:** The directive should establish procedures to ensure prompt, coordinated response by medical and fire suppression personnel and such other assistance as may be necessary. The law enforcement agency generally will be responsible for providing basic life support/emergency medical care and fire suppression services until properly relieved by fire/medical personnel. In the event of hazardous material incidents, officers should isolate the hazard area and evacuate nonessential personnel. The law enforcement agency generally will be responsible for preliminary hazard identification (spill, leak, fire) and identification of vehicle and container placards. The directive should ensure that only properly trained and equipped agency personnel attempt to enter areas where hazardous materials may be encountered. (M M M M M M)

**63.2.3** *A written directive governs control of property belonging to accident victims.*

**Commentary:** The officer at the scene of an accident should ensure that property belonging to accident victims is protected from theft or pilferage and is removed to a place of safekeeping if the owner is unable to care for it. The directive should provide guidelines for property inventory and indicate methods for property removal and storage. (M M M M M M)

## 63.3 Accident Reports and Records

**63.3.1** *A written directive governs the use of accident report and supplementary report forms.*

**Commentary:** No single traffic accident report form can collect all the data required on various types of accidents to support criminal prosecution or special accident research programs. The directive should provide guidelines on the preparation and use of various accident and supplementary report forms utilized by the agency.

The directive should also include provision for use of a simplified accident report form if permitted by law. The simplified report form should cover (1) data regularly tabulated (driver/pedestrian, vehicle, location, time, property damage, etc.); (2) data collected for traffic engineering purposes; and (3) data entered on driver records.

Utilization of simplified report forms minimizes the amount of time required for both drivers and agency personnel, yet ensures that essential accident data are gathered. (O O O O O O)

**63.3.2** *The agency's accident classification system is in conformance with the current edition of the Manual on Classification of Motor Vehicle Traffic Accidents.*

**Commentary:** The *Manual on Classification of Motor Vehicle Traffic Accidents* is designed to facilitate the development of uniform data on accidents involving motor vehicles and other road vehicles in and out of traffic. The primary purpose of the manual is to promote uniformity and comparability of traffic accident statistics now being developed in states and local jurisdictions. The manual can be obtained from the National Safety Council.

This standard does not apply if a statewide accident classification system is mandated. (O O O O O O)

(Note: A glossary of traffic terms follows Chapter 66.)

## NOTES

# 64

## TRAFFIC DIRECTION AND CONTROL

Standards in this chapter govern those activities undertaken by the agency that directly affect the movement and control of vehicles and pedestrians. They include point traffic control, parking control, school-crossing supervision, and other activities related to the design and implementation of plans and programs that expedite the movement of vehicles and pedestrians.

Traffic direction and control activities are also covered in Chapter 63, Traffic Accident Investigation; Chapter 65, Traffic Engineering; and Chapter 46, Unusual Occurrences.

### 64.1 Traffic Direction and Control

**64.1.1** *A written directive governs the agency's traffic direction and control functions.*

**Commentary:** Traffic direction and control functions should be performed by the agency, where necessary, to ensure the safe and efficient movement of vehicles and pedestrians. The duties and responsibilities should be clearly stated for both sworn and nonsworn personnel. Duties assigned to nonsworn personnel may include traffic direction and pedestrian and parking control, thus permitting sworn personnel to perform duties requiring law enforcement authority. The agency should use the current edition of the *Manual on Uniform Traffic Control Devices For Streets and Highways*, published by the Federal Highway Administration and available from the U.S. Government Printing Office.  
(M M M M M M)

**64.1.2** *The agency conducts an annual survey to identify locations where point traffic control is required.*

**Commentary:** The survey should be designed to identify the specific locations where point control is needed to expedite the safe and efficient movement of vehicles and pedestrians; to analyze alternatives, such as use of traffic control devices or nonsworn personnel; and to provide cost-effectiveness data. The survey should be conducted, at least annually, in cooperation with traffic engineering authorities. (O O O O O O)

**64.1.3** *A written directive specifies criteria for determining locations where manual direction of traffic will be performed.*

**Commentary:** Decisions concerning provision of manual traffic direction services should be made in cooperation with traffic engineering authorities and should consider such variables as traffic volume and speed, number of pedestrians present, duration of congestion period, and presence or absence of traffic control devices. Manual traffic direction should not be performed by officers or civilians when use of a traffic control signal will alleviate the problem. (O O O O O O)

**64.1.4** *A written directive specifies procedures for manual traffic direction.*

**Commentary:** All personnel assigned or authorized to direct traffic should utilize uniform signals and gestures to enhance driver and pedestrian recognition of, and response to, their directions. (O O O O O O)

**64.1.5** *A written directive requires agency personnel to wear high-visibility clothing when directing traffic.*

**Commentary:** Use of reflective vests or other high-visibility clothing when directing traffic enhances officer safety and driver recognition and response. Provision should also be made to ensure the availability of high-visibility protective clothing during periods of foul weather. This standard does not apply to emergency situations, when such clothing may not be available.  
(M M M M M M)

**64.1.6** *A written directive specifies circumstances warranting manual operation of traffic control signals.*

**Commentary:** The directive should also specify procedures for such operation. Agency personnel should receive training in the operation of such devices prior to assignment. Some circumstances warranting manual operation may include malfunctioning of the signal, facilitating movement at traffic accidents or the scene of other emergencies, providing a thoroughfare for motorcades, and alleviating congestion resulting from the use of automatic controls (e.g., during rush hours).  
(O O O O O O)

**64.1.7** *A written directive governs the agency's use of temporary traffic control devices.*

**Commentary:** During peak traffic hours or special events, the agency may utilize temporary traffic control devices, such as movable barriers, reversible or temporary signs, school-zone signs, etc. The directive should specify when and where such devices are to be used and the person or persons responsible for their placement and removal. Portable or part-time stop signs should only be used in emergencies. (Note: This standard does not apply to most rural—state or county—enforcement agencies.) (O O O O O O)

**64.1.8** *An annual survey is conducted to identify locations where parking control is required.*

**Commentary:** Parking control activities are essential to the safe and efficient movement of vehicles. The survey should identify specific needs and/or deficiencies (peak hour tow-away zones, no parking zones, restricted-parking zones, overtime parking enforcement, etc.) in the parking control program, suggest alternatives, and provide cost-effectiveness data. The survey should be conducted at least annually. (Note: This standard does not apply to most rural—state or county—enforcement agencies.)  
(O O O O O O)

**64.1.9** *The agency has a contingency plan for traffic direction and control during special events.*

**Commentary:** The plan should address the following problems and special circumstances: ingress and egress of vehicles and pedestrians, provisions for parking, spectator control, public transportation, provisions for relief of officers assigned point control duties, provisions for news media, alternate routes for through traffic, temporary traffic controls and parking prohibitions, and emergency vehicle access. If traffic direction and control services are provided by private sources, the agency should ensure that adequate services will be provided. Special events may include parades, sporting events, highway construction and maintenance activities, picketing, etc. (O O O M M M)

**64.1.10** *A written directive governs traffic direction and control at fire scenes.*

**Commentary:** The directive should clarify the respective traffic direction and control duties and responsibilities of law enforcement and fire department personnel. In those locations served by volunteer fire departments, the directive should provide guidelines to ensure that all private vehicles, including those belonging to firefighters, do not obstruct emergency operations.  
(M M M M M M)

**64.1.11** *A written directive specifies procedures for traffic direction and control during periods of adverse road and weather conditions.*

**Commentary:** The procedures should provide guidelines for traffic direction and control during adverse weather conditions, such as those caused by fog, rain, snow, smoke, smog, blowing sand, and such special problems as downed power lines or road construction areas.  
(O O O O O O)

**64.1.12** *A written directive governs provision of law enforcement escort services.*

**Commentary:** The directive should specify the circumstances, both routine and emergency, under which escort services should be provided; the procedures for processing routine or emergency requests for escort; and the identification of agency personnel authorized to approve such requests. The directive should include escort of public officials, dignitaries, emergency vehicles, funerals, oversize vehicles, and hazardous or unusual cargo. The agency should also establish procedures for ensuring the adequacy of private escort services for oversize vehicles and hazardous cargo carriers. (M M M M M M)

**64.1.13** *A written directive describes circumstances warranting the use of roadblocks and specifies procedures for implementation.*

**Commentary:** The extreme dangers inherent in the use of roadblocks mandate guidelines for their use. The directive should specify the types of roadblocks authorized for use (e.g., moving, fixed, circle system) and the circumstances justifying their use (e.g., to stop a fleeing felon, traffic checks). The procedures should specify who has authority to implement and/or cancel a roadblock, the person in charge at the scene, and staffing arrangements. Whenever possible, planning should take place prior to implementation of the roadblock. Officers should be trained in roadblock techniques and properly equipped to set them up.  
(M M M M M M)

**64.1.14** *A written directive specifies selection criteria for the agency's nonsworn traffic direction and control personnel.*

**Commentary:** Selection criteria should be based on the knowledge, skills, and abilities required for job performance. Nonsworn personnel need not necessarily meet the entry requirements established for sworn personnel.  
(O O O O O O)

**64.1.15** *A written directive specifies the uniform to be worn by nonsworn traffic direction and control personnel.*

**Commentary:** Nonsworn personnel should be uniformed so that motorists can recognize them and respond to their directions. Their uniforms should be distinctively different from those worn by sworn officers. (O O O O O O)

**64.1.16** *A written directive prescribes the authority and responsibilities of adult school-crossing guards.*

**Commentary:** School-crossing guards should not generally be given regulatory and enforcement powers. The scope of their responsibilities and duties should be clearly spelled out and understood by both officers and crossing guards. School-crossing guards should not direct traffic in the usual regulatory sense. Their role is to expedite the movement of children to and from school by creating gaps in traffic. (O O O O O O)

**64.1.17** *A written directive specifies selection criteria for adult school-crossing guards.*

**Commentary:** Selection criteria should be based on the knowledge, skills, and abilities required for job performance. School-crossing guards need not necessarily meet the entry requirements established for sworn personnel.  
(O O O O O O)

**64.1.18** *A written directive specifies the uniform to be worn by adult school-crossing guards.*

**Commentary:** School-crossing guards should be uniformed so that motorists and pedestrians can

recognize them and respond to their signals. Their uniforms should be distinctively different from those worn by sworn personnel.  
(O O O O O O)

**64.1.19** *A written directive specifies criteria for determining locations requiring adult school-crossing guards.*

**Commentary:** The following variables should be considered when determining school-crossing guard points: traffic volume/speed, number of turning movements, width of intersection, physical terrain, existence or absence of traffic control devices, local legislative policy, and the number and age of children utilizing the crossing.  
(O O O O O O)

**64.1.20** *The agency conducts an annual survey to identify locations requiring adult school-crossing supervision.*

**Commentary:** The survey should be conducted in cooperation with traffic engineering and school authorities. The survey data should form the basis for establishing school-crossing points and school routes. A uniform approach to school-area traffic controls should be developed to ensure the use of similar controls for similar situations, thus promoting uniform behavior on the part of drivers and pedestrians. (O O O O O O)

**64.1.21** *The agency assists school authorities in the student safety patrol program.*

**Commentary:** Student safety patrol activities should complement those of the school-crossing guards. Agency assistance in the organization, instruction, and supervision of student safety patrols should provide a degree of uniformity and improve program effectiveness. Student patrols should not be charged with the responsibility of directing vehicular traffic, nor should they be allowed to do so through the use of flags, hand signs, or other signalling devices.  
(O O O O O O)

(Note: A glossary of traffic terms follows Chapter 66.)

## NOTES

# 65

## TRAFFIC ENGINEERING

Standards in this chapter govern the agency's traffic engineering activities. The standards recognize the existence, in many jurisdictions, of specialized traffic engineering entities separate from the law enforcement agency. In those jurisdictions, the law enforcement agency has a liaison and data-sharing responsibility with traffic engineering authorities. However, in many jurisdictions, the law enforcement agency has specific responsibilities related to traffic engineering. These may include collection of data, analysis of accident patterns, selection of traffic control devices, and traffic operational planning. These responsibilities must be discharged competently by personnel adequately trained for these tasks. Close coordination and cooperation among the law enforcement agency and local traffic engineering and highway department authorities are essential to the maintenance of a safe and efficient highway system.

Standards related to other aspects of traffic engineering are covered in Chapter 64, Traffic Direction and Control.

### 65.1 Traffic Engineering

**65.1.1** *A written directive governs performance of agency activities related to traffic engineering.*

**Commentary:** The agency should utilize the current edition of the *Manual on Uniform Traffic Control Devices For Streets and Highways* as a guide for traffic engineering activities. Engineering functions should be conducted in conjunction with local traffic engineering authorities and should be directly related to the discovery and remedy of accident and congestion hazards. The directive should describe the authority and responsibilities of agency personnel for (1) collecting and compiling traffic data; (2) conducting special traffic surveys and studies; (3) analyzing accident and enforcement data; (4) preparing special reports and making recommendations concerning the efficient use of traffic control devices, new or revised laws or ordinances, and engineering improvements; and (5) participating in local and regional transportation system management planning. (O O O O O O)

**65.1.2** *A written directive governs the agency's handling or referral of complaints or suggestions concerning traffic engineering deficiencies.*

**Commentary:** The directive should establish procedures to ensure that proper action is taken to investigate complaints, evaluate suggestions, and correct deficiencies or refer them to proper

authorities for correction. The person making the complaint or suggestion should be notified of the action taken. This may be done as part of the agency's general complaint process.

(O O O O O O)

**65.1.3** *Studies are conducted to identify engineering problems at high accident locations.*

**Commentary:** Preparation and maintenance of accident-collision diagrams and condition diagrams provide a factual data base upon which to base traffic engineering decisions or recommendations. Agency directives should identify the elements to be included on collision and condition diagrams in order to identify accident patterns and physical conditions present at high accident locations. The directive should also identify circumstances warranting special sight-distance studies. (O O O O O O)

**65.1.4** *A written directive governs procedures for transmitting accident and enforcement data to local or regional traffic engineering authorities.*

**Commentary:** Traffic records call attention to changed conditions that require alteration in engineering or enforcement policies. The agency should provide copies of accident report forms and/or a monthly summary of accident and enforcement data to provide factual data neces-

sary to make sound engineering decisions. The occurrence of a serious accident should be brought to the attention of traffic and highway engineering authorities for analysis of potential corrective actions. In addition, such accidents may eventually result in legal liability actions against public agencies. Therefore, prompt notification is desirable to permit the engineering authorities to document the condition and maintenance of the roadway. (O O O O O O)

**65.1.5** *The agency participates in local and regional transportation system management planning.*

**Commentary:** Participation is recommended to ensure proper consideration of enforcement needs and service demands prior to project implementation. (O O O O O O)

**65.1.6** *Agency personnel responsible for activities related to traffic engineering are trained for this purpose.*

**Commentary:** Decisions on traffic control measures should be based on studies by qualified personnel. Agency personnel performing engineering functions related to traffic engineering should understand the traffic problem and its relationship to the economic and social problems of the community. A directive should specify the level of proficiency and amount of training required. The training should include, at a minimum, traffic survey methods and techniques, traffic control measures, traffic planning, and data analysis. (M M M M M M)

(Note: A glossary of traffic terms follows Chapter 66.)

# 66

## TRAFFIC ANCILLARY SERVICES

Standards in this chapter govern many diverse traffic-related ancillary services performed by the agency. These services are basically activities having an indirect effect on traffic flow and responses to citizen-generated requests for assistance. The tasks include general assistance, emergency assistance, providing public information and directions, identifying and reporting roadway and roadside hazards, checking abandoned vehicles, and locating and recovering stolen vehicles.

### 66.1 Ancillary Services

**66.1.1** *A written directive governs the provision of general assistance to highway users.*

**Commentary:** The directive should set forth policies that describe the role of the agency in providing information and directions, assisting stranded or disabled motorists, providing or obtaining fuel, changing tires, making minor repairs, etc. (O O O O O O)

**66.1.2** *A written directive specifies procedures for obtaining mechanical assistance or towing services.*

**Commentary:** The highway user encountering mechanical or other difficulties necessitating assistance or towing generally must rely upon the officer to obtain needed services. The directives should establish procedures for obtaining services or other assistance (by means of a possible contractual agreement that specifies price, 24-hour availability, response time, etc., as well as a system to direct calls to several contractors on a specified rotational basis) in an equitable manner that satisfies the needs of the public, the law enforcement agency, and the providers of such services. (M M M M M M)

**66.1.3** *A written directive specifies procedures for providing protection to persons stranded on the highway.*

**Commentary:** The agency has a responsibility to provide a communications link to obtain needed services for motorists and to provide protection for highway users stranded or disabled in hazardous locations or environments. The written directive should provide basic guidelines to ensure that help arrives in a timely fashion and that

motorists are directed or actually transported to a place of safety. (M M M M M M)

**66.1.4** *A written directive governs the provision of emergency assistance to highway users.*

**Commentary:** The directive should set forth policies that describe the role of officers in providing first aid, obtaining medical assistance, fighting fires, obtaining fire service assistance, and transporting civilians. Agency personnel should have clear guidelines to ensure that fire suppression and emergency medical transport services are provided in a timely manner. Fire district jurisdictions delineate specific areas of responsibility and contacting the correct agency is essential to ensure timely response. Proper notification is especially critical in areas dependent upon volunteer services. If private medical transport services are utilized, the directive should establish procedures for obtaining such services in an equitable manner that satisfies the needs of the public, the law enforcement agency, and the providers of such services. (M M M M M M)

**66.1.5** *A written directive governs escort of civilian vehicles in medical emergencies.*

**Commentary:** Escorting civilian vehicles under emergency circumstances is an extremely dangerous practice and should be avoided whenever possible. In medical emergencies, the patient should be transported by ambulance whenever possible. If escorts are authorized, the directive should establish guidelines to ensure the safety of the patient, the officer, and all other highway users. (M M M M M M)

**66.1.6** *A written directive specifies procedures for taking action to correct hazardous highway conditions.*

**Commentary:** Roadway and roadside hazards are contributing factors in many traffic accidents. In order to mitigate these factors, the directive should specify procedures for reporting and correcting hazardous conditions such as (1) debris in the roadway; (2) defects in the roadway itself; (3) lack of, or defects in, highway safety features (e.g., impact attenuation devices, reflectors); (4) lack of, improper, visually obstructed, or down or damaged mechanical traffic control devices and/or traffic control and informational signs; (5) lack of or defective roadway lighting systems; and (6) other roadside hazards, including vehicles parked or abandoned on or near the roadway.  
(M M M M M M)

**66.1.7** *A written directive specifies procedures for hazardous materials control or removal.*

**Commentary:** Procedural guidance is necessary to protect the officer and other highway users and to ensure prompt control and removal of hazardous materials. The procedures should specify what actions the officer should take to identify the materials, protect the scene, isolate the immediate area, and obtain appropriate technical assistance. (M M M M M M)

**66.1.8** *A written directive specifies procedures for the handling of abandoned vehicles.*

**Commentary:** The directive should define the circumstances under which vehicles are considered abandoned and when and how they are to be removed. In addition, the directive should establish procedures that ensure reasonable attempts are made to contact the registered owner of the vehicle prior to removal.  
(M M M M M M)

**66.1.9** *A written directive governs the removal and towing of vehicles.*

**Commentary:** The directive should establish procedures for removal or towing of vehicles that are (1) illegally stopped, standing, or parked; (2) stolen or abandoned; and/or (3) in the agency's custody. In addition, the directive should establish procedures to notify the registered owner of the removal or tow and to afford the owner the opportunity for a hearing to determine the legality of such removal or tow. (M M M M M M)

**66.1.10** *A written directive requires that a record be maintained of all vehicles removed or towed at the direction of an officer.*

**Commentary:** Whenever a vehicle is removed or towed at the direction of an officer, a written record should be made of the time, date, location, requesting officer, reason for removal or tow, towing service, location of the vehicle, and notification (or attempts) of the registered owner.  
(M M M M M M)

**66.1.11** *Traffic safety educational materials are made available to the public.*

**Commentary:** The ultimate goal of enforcement officials is to achieve voluntary compliance with traffic laws and regulations. Preparation and dissemination of traffic safety educational materials support enforcement efforts and enhance public understanding of traffic safety programs.  
(O O O O O O)

## Glossary

**TOPICAL AREA: TRAFFIC OPERATIONS AND ADMINISTRATION**

**AREA PATROL:** Patrol or stationary observation in an area or beat that includes a number of streets, roads, or sections of highway.

**CIRCLE SYSTEM:** A series of fixed roadblocks intended to contain a vehicle or suspect in a given area.

**CITATION:** Any traffic enforcement action that involves a written notice to the accused to appear and that contemplates trial adjudication or disposition to determine the guilt or innocence of the person charged with a violation.

**COLLISION DIAGRAM:** A diagram of an intersection or section of roadway on which reported accidents are shown by arrows indicating direction of approach and interrelated maneuvers (not necessarily to scale).

**CONCEALED OBSERVATION:** Stationary observation in which the observer is not visible to persons, using ordinary powers of observation, from the roadway being observed.

**CONDITION DIAGRAM:** A map of an intersection or section of roadway showing all objects and physical conditions having a bearing on traffic movement and safety at that location (usually drawn to scale).

**EMERGENCY MEDICAL CARE:** Initial attention to (1) life-threatening situations, including airway care, pulmonary and cardiopulmonary resuscitation, control of bleeding, and prevention of shock; (2) injuries, including soft tissue injuries, internal injuries, and fractures; and (3) heart attack, stroke, diabetic coma, insulin shock, epileptic attack, emergency childbirth, alcohol and drug abuse, ingested and inhaled poisons, bites and stings, and exposure to heat and cold.

**EMERGENCY MEDICAL CARE EQUIPMENT AND SUPPLIES:** It is assumed that the first responder will have necessary emergency care equipment and supplies. The equipment assumed to be available is as follows: triangular and roller-type bandages, universal

dressings/gauze pads and occlusive dressing, adhesive tape, bandage shears, eye protector (paper cup or cone), stick (for impaled object/tourniquet), blanket, pillow, upper and lower extremity splint sets, oxygen equipment and masks,\* bag-valve-mask resuscitator,\* and oropharyngeal airways (adult and child).\*

**FIXED ROADBLOCK:** A full or partial roadblock established at a fixed point.

**GENERAL ASSISTANCE:** Services of a nonemergency nature provided by agency personnel, such as providing information or directions, assisting stranded or disabled motorists, etc.

**HAZARDOUS TRAFFIC LAW VIOLATION:** Violation of any law, ordinance, or regulation affecting the use or protection of streets or highways and enacted primarily to regulate the safe movement of vehicles and pedestrians. There are two categories of this violation: (1) unsafe behavior—an action or omission in traffic that is hazardous even when vehicles, streets or highways, and people involved are in legal condition; (2) unsafe condition—causing or permitting an illegal and possibly hazardous condition of a driver or pedestrian in traffic, streets or highways used by traffic, and/or vehicle used in traffic.

**HIGHWAY:** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic; a street; or a publicly maintained trafficway.

**LINE PATROL:** Moving patrol or stationary observation on a specified route between two points, usually on one city street or a section of a highway.

**MOVING ROADBLOCK:** Use of one or more moving vehicles to block the roadway and prevent approaching vehicles from continuing.

**OTHER TRAFFIC LAW VIOLATIONS:** Violation of any law, ordinance, or regulation affecting the use or protection of streets or highways but not enacted primarily to regulate safe movement of vehicles and pedestrians.

**PHYSICAL ARREST:** Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court.

**POINT TRAFFIC CONTROL:** The control of vehicular and pedestrian movement at a particular place on a roadway, such as an intersection.

**PURSUIT:** An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

**ROAD:** That portion of a highway that includes both the roadway (traveled portion) and the shoulder.

**ROADBLOCK:** A temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles or their contents or to interview drivers.

**ROADWAY:** That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder.

**SCHOOL-CROSSING SUPERVISION:** Control of pedestrians and vehicles by adult school-crossing guards, or control of students only by student safety patrols.

**SELECTIVE TRAFFIC ENFORCEMENT:** The assignment of personnel to traffic enforcement activities at times and locations where hazardous or congested conditions exist. Such assignments are usually based on such factors as traffic volume, accident experience, frequency of traffic violations, and emergency and service needs.

**STATIONARY OBSERVATION:** Traffic observation at a selected place, usually one with an unfavorable accident experience or traffic flow problem, for traffic law enforcement purposes—especially to detect violations and deter possible violators.

**TRAFFIC ACCIDENT INVESTIGATION:** Collection of factual information identifying and describing people, roads, and vehicles involved in an accident; describing the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and, sometimes, an attempt to specify the peculiar combination of factors required to produce that particular accident.

**TRAFFIC ACCIDENT REPORTING:** Basic data collection to identify and classify a traffic accident and the persons, vehicles, time/location, planned movements involved, and possible contributing factors, such as traffic law violations.

**TRAFFIC CONTROL DEVICE:** All signs, signals, markings and devices placed on, over, or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.

**TRAFFIC CONTROL SIGNAL:** Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

**TRAFFIC ENGINEERING AUTHORITIES:** Persons responsible for traffic engineering in various local, regional, and state agencies (e.g., street or highway department, public works department, transportation department).

**TRAFFIC LAW ENFORCEMENT:** Law enforcement as it applies to statutes, ordinances, and legally authorized regulations relating to the use of streets and highways and ownership and operation of motor vehicles and other road vehicles.

**TRAFFIC LAW ENFORCEMENT ACTION:** The part of traffic law enforcement involving arrest, citation, or warning of any person alleged to have violated a law, ordinance, or regulation pertaining to the use of trafficways when the person has knowledge of this action and when it is to (1) prevent such violation from endangering persons or property or inconveniencing other

\*If training is provided in use of this equipment.

users of the trafficway, (2) prevent continued violation, or (3) discourage recurrences.

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

**TRAFFIC PATROL:** The part of law enforcement traffic supervision that consists of driving or walking within an area or a roadway for the purpose of providing protection, security, and service to the public.

**TRAFFIC SURVEY:** An examination of traffic characteristics, such as volume, speed, delay, accidents, origin, destination, etc.

**TRAFFICWAY:** The entire width between property lines or other boundary lines of every way or place of which any part is open to the public for purposes of vehicular travel as a matter of right or custom. All highways are

trafficways, but trafficways include also some areas on private property, such as shopping centers.

**VERBAL WARNING:** A warning given orally without any written record.

**VISIBLE OBSERVATION:** Stationary observation by an observer in full view but so located, such as on a side street, that effort is required by those in the traffic stream to discover the observer.

**WRITTEN WARNING:** A warning in which the violator is given a written record of the action at the time of the violation and which he or she may be required to acknowledge by signing.

**NOTE:** In addition, all definitions contained in the most recent editions of the *Uniform Vehicle Code and Model Traffic Ordinance* (National Committee on Uniform Traffic Laws and Ordinances) and the *Manual on Classification of Motor Vehicle Traffic Accidents* (National Safety Council) are adopted by reference.

## PRISONER TRANSPORTATION

Transportation by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity. Two general time periods are involved. The first is immediately after arrest, when the arrestee is taken by the arresting officer for booking and holding or transfer to another facility. The second concerns the movement of prisoners from the detention facility, such as a county jail, to a hospital, doctor, dentist, or other medical facility; to court; to attend a funeral or visit a seriously ill relative; and for other reasons. Agencies should review their policy and procedures covering all types of prisoner transportation.

As law enforcement personnel perform prisoner transport, they should be prepared to provide adequately for the safety and security of the prisoner, the transporting officers, and the public. Written directives are the key in each instance. These directives form the guidelines that must be followed when agency personnel execute the prisoner transport function.

Standards in this chapter concern those directives that should exist pertaining to the transport function. Larger agencies may be organized to effect prisoner transport with specially constructed buses and specially trained personnel; smaller agencies may perform the transport function as part of their patrol activities. In any case, there are basic requirements to ensure safety and security for prisoners, transporting officers, and the general public. The standards should be addressed in accord with the agency's responsibilities for transporting prisoners.

### 71.1 Transport Operations

**71.1.1** *A written directive requires a search of the prisoner by the transporting officer before being transported.*

**Commentary:** The transporting officer is legally responsible for the safety and custody of the prisoner being transported. It must be assumed that the prisoner may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the prisoner. Prisoners should be searched each time they come into the transporting officer's custody, including transport to and from court appearances.

(M M M M M M)

**71.1.2** *A written directive requires the search of transport vehicles prior to and after transporting prisoners.*

**Commentary:** Each time a prisoner is to be transported, the vehicle should be examined to ensure that no contraband or similar items are present.

Most vehicles will not have been under constant security surveillance, and the search should be made under the assumption that an opportunity has existed for the introduction of contraband, weapons, and other items.

(M M M M M M)

**71.1.3** *A written directive requires examination of vehicles at the beginning of each shift prior to use for transporting prisoners.*

**Commentary:** It is the transporting officer's responsibility to ensure that the vehicle is safe and equipped with appropriate items, for example, spare tire, jack, lug wrench, and safety flares. The condition of the vehicle itself should be examined, including the proper inflation of tires, fuel and oil levels, ignition system, and engine operation. The transporting officer should have proper forms or credit cards for procurement of gasoline. (M M M M M M)

**71.1.4** *A written directive requires that transporting officers be seated in specific locations within*

the vehicle, depending upon the number of prisoners to be transported and the number of escort officers used.

**Commentary:** For safety reasons, the prisoner must be under observation at all times. Opportunities for escape or attack on the transporting officers, for example, must be reduced as much as possible. The prisoner should be made as comfortable as possible, given the length of the trip being made, and yet secured to the maximum degree. (M M M M M M)

**71.1.5** A written directive requires that the transporting officers not lose sight of the prisoners, with exceptions specified in a written directive.

**Commentary:** Care must be taken to allow the prisoners reasonable opportunities to use toilet facilities. Normally, this will not be required during transport from the point of arrest to the booking point. (See standard 71.2.1.) (M M M M M M)

**71.1.6** A written directive requires that when, during transport of a prisoner, a meal will be required, the selection of the place where the meal is to be taken is done randomly.

**Commentary:** If one place is commonly used by the transporting officer for eating in transit, persons knowing this may precede the transporting officer and try to free the prisoner. (M M M M M M)

**71.1.7** A written directive stipulates circumstances under which the transporting officer can stop to respond to the need for law enforcement services while transporting a prisoner.

**Commentary:** The primary duty of the transporting officer is the safe delivery of the prisoner in his or her care. Diversionary incidents, whether instigated by persons attempting to free the prisoner or not, may divert the escort officer and place the prisoner in jeopardy or enhance chances for escape. General principles of tort law impose a duty of care on the transporting officer to protect the prisoner from injury. Only when the risk to third parties is both clear and grave and the risk to the prisoner is minimal should the officer stop to render assistance. (M M M M M M)

**71.1.8** Following an escape of a prisoner while being transported, the transporting officer takes actions prescribed by a written directive, to include, at a minimum, the following:

- persons to be notified
- reports to be prepared

- further actions to be taken.

**Commentary:** If the escape occurs in another jurisdiction, the authority of the escort officer to take action in recovering the prisoner will depend upon the powers officers have in that jurisdiction. Depending upon the state, these will include peace officer powers anywhere within the state, within a mutual aid area, or only within the specific jurisdiction from which the officer comes. (M M M M M M)

**71.1.9** A written directive prescribes circumstances under which the prisoner may communicate with others while being transported.

**Commentary:** Safety aspects of the transport function require that the prisoner's right to communicate with attorneys and others will not normally be exercised during the period that the prisoner is being transported. (M M M M M M)

**71.1.10** A written directive prescribes actions, at the destination, of officers transporting prisoners from one facility to another, to include at a minimum:

- securing firearms for safekeeping;
- removing restraining devices just prior to placing the prisoner in the cell;
- delivery of documentation to the receiving officer; and
- obtaining the signature of the receiving officer.

**Commentary:** Transporting officers follow the directives of the agency with regard to actions taken upon arrival at the destination. Circumstances will vary regarding the ability of the transporting officers to follow these directives, but, in any case, it is assumed that they are not armed when in a holding cell area or in court; that the prisoner is restrained until safely placed in a holding cell or actually enters the court; that necessary documentation is delivered; and a signature for the delivery of the prisoner is obtained. (M M M M M M)

**71.1.11** A written directive prescribes the security and control of prisoners transported to medical care facilities for treatment or examination.

**Commentary:** If the prisoner is admitted to the hospital, the agency should provide for security as necessary. The prisoner should be kept in sight whenever possible. (M M M M M M)

**71.1.12** A written directive requires that the agency notify the judge of the court when a prisoner to be transported to court is considered a security hazard.

**Commentary:** In such cases, the judge may allow or direct the use of restraining devices in the court and may request the assignment of additional security officers to the court.

(M M M M M M)

## 71.2 Special Transport Situations

**71.2.1** *A written directive governs situations permitting transport of prisoners by officers of the opposite sex, with exceptions defined.*

**Commentary:** The agency is in a vulnerable position if a male escort officer is used to transport a female prisoner and only slightly less vulnerable in the reverse situation. At times, however, it may not be possible to assign a female officer as the transporting officer for a female prisoner. In such situations, procedures should provide for assignment of two male officers and for recording time of departure, time of arrival, and mileage of the vehicle used, at both ends of the trip. The pertinent information should be properly recorded and, where possible, verified by the officer's signature.

(M M M M M M)

**71.2.2** *A written directive prescribes methods used in transporting handicapped prisoners.*

**Commentary:** Physically and mentally handicapped prisoners present conditions for their transport that dictate special care and attention. For example, the type of vehicle used would be a consideration when transporting nonambulatory prisoners or those requiring wheelchairs, crutches, or prosthetic appliances. It may be necessary to transport medicine, insulin, and other special items for certain prisoners during transport. The safety of the prisoner and the transporting officer requires due care when transporting handicapped prisoners. (M M M M M M)

**71.2.3** *A written directive prescribes procedures for transporting sick or injured prisoners.*

**Commentary:** If a prisoner becomes sick or is injured incidental to the arrest, the arresting officer should seek medical attention at that time if at all possible. If the prisoner is not provided care in a medical facility or is not transported to a medical facility initially but is taken to the booking point, the directive should define the actions to be taken at that time for providing medical attention to the prisoner.

(M M M M M M)

**71.2.4** *A written directive prescribes the use of restraining devices on handicapped prisoners.*

**Commentary:** It should not be assumed that restraining devices are not required on handicapped prisoners. A prisoner in a wheelchair or one who uses walking aids may not require the use of restraining devices in all instances; however, the written directive should be specific in defining circumstances when restraining devices would and would not be necessary and the extent of the officer's discretion in applying such devices on handicapped persons.

(M M M M M M)

**71.2.5** *A written directive governs the use of restraining devices on sick or injured prisoners.*

**Commentary:** Restraining devices may not be required on sick or injured prisoners, depending upon the nature of the sickness or injury. The directive should specify the circumstances in which devices would and would not be used and the degree of discretion to be given to the escort officer. (M M M M M M)

**71.2.6** *A written directive prescribes procedures for transporting prisoners in special situations, such as visiting a critically ill person, attending a funeral, or attending the reading of a will.*

**Commentary:** The unusual circumstances surrounding such situations as funerals and visits to hospitals provide extraordinary opportunities to a prisoner for unauthorized personal contact, escape, or infliction of injury on himself or others. Therefore, special precautions and security measures should be stipulated and employed.

(M M M M M M)

## 71.3 Restraining Devices

**71.3.1** *A written directive stipulates prisoners are to be restrained during transport, with exceptions noted.*

**Commentary:** It is necessary for officers to know when and how prisoners are to be restrained and when, where, and how particular restraining devices are to be employed, including special and prohibited methods. For example, (1) in transporting more than one prisoner, each is to be handcuffed with hands in front and arms inter-twining and (2) a prisoner is not to be handcuffed to any part of the vehicle, such as a door post.

The directive should also take into account circumstances under which the prisoner is to be transported by vehicle over a period of several hours. (M M M M M M)

**71.3.2** *A written directive prescribes the use of restraining devices when transporting mentally disturbed prisoners.*

**Commentary:** Mentally disturbed prisoners may pose a significant threat to themselves and/or the transporting officers. The selected device should restrain the prisoner securely without causing injury. These devices should be required whenever practical, but should not preclude the use of handcuffs in emergency situations. The types of restraints used should be indicated on the transfer document. (M M M M M M)

## 71.4 Transport Equipment

**71.4.1** *Vehicles used primarily for transporting prisoners (80 percent of their use) should have the driver separated from the prisoner by a safety barrier.*

**Commentary:** The safety barrier may be of wire mesh or heavy gauge plastic to prevent the prisoner from having access to the driver's compartment of the vehicle. Communication between the front and back seats should not be impaired to the point that conversation cannot be conducted. (M M M M M M)

**71.4.2** *A written directive requires that vehicles used for transporting prisoners are modified to minimize opportunities for the prisoner to exit from the rear compartment of the vehicle without the aid of the transporting officer.*

**Commentary:** Vehicles used for transporting prisoners should have window cranks and door handles removed from the rear compartment, and door release locks should be operated from the front compartment or from the outside of the vehicle. (M M M M M M)

## 71.5 Documentation

**71.5.1** *A written directive prescribes methods to be used in positive identification of prisoners scheduled to be transported.*

**Commentary:** Each prisoner being transported from a detention facility must be positively identified as the person who is to be moved. Booking records and numbers assigned to the prisoner in the detention facility must be verified and the person concerned confirmed as the person described in the records. (M M M M M M)

**71.5.2** *A written directive prescribes the documentation that must accompany the prisoner being transported between facilities.*

**Commentary:** If the prisoner is to be transported to court, such information would include the prisoner's name, facility prisoner number, and court to which the prisoner is to be delivered. When transporting a prisoner to another facility, the documentation should include commitment papers and the prisoner's medical records and personal property. For interstate transports, the escort officer must have a properly executed governor's warrant or a properly executed waiver. (M M M M M M)

**71.5.3** *A written directive requires that information relating to the prisoner's escape or suicide potential or other personal traits of a security nature be included in the documentation that accompanies the prisoner during transport.*

**Commentary:** In addition to the information identified in the commentary accompanying standard 71.5.2, the escort officer should be specifically alerted to any potential security problems that the prisoner may present during transport. This information should include escape or suicidal tendencies as well as unusual illnesses. (M M M M M M)

## Glossary

TOPICAL AREA: PRISONER TRANSPORTATION

HANDICAPPED PRISONER: A prisoner with an anatomical, physiological, or mental impairment that hinders mobility.

IN CUSTODY: Being under the full control of an escort officer during transportation.

IN TRANSIT: State of being transported, such as when an escort officer moves a prisoner from point of origin to the destination.

PRISONER: A person who has been arrested and taken into custody.

RESTRAINING DEVICES: Equipment that is used to restrain the movement of the prisoner, such as handcuffs, waist chains, ankle chains, and tie-down stretchers.

SECURITY HAZARD: Any threat to the security of the prisoner, to the facility in which he or she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by the escort officer to provide proper protection for and security of the prisoner.

TRANSPORTING OFFICER: A sworn law enforcement officer who is responsible for transporting a prisoner from one point to another.

TRANSPORT VEHICLE: The vehicle used for transporting a prisoner from one point to another. This term does not refer to commercial vehicles, such as buses, trains, or airplanes, that may be used for prisoner transport.

# 72

## HOLDING FACILITY

The American Correctional Association's *Manual of Standards for Adult Local Detention Facilities* (December 1977) was used as a basic source in the development of these standards. The standards for medical and health care services in Section 72.6 were adapted from standards of the American Medical Association (AMA) as contained in its *Standards for Accreditation of Medical Care and Health Services in Jails* (1977, and as revised in 1981). AMA assistance in other sections is also acknowledged.

These standards apply only to those agencies operating short-term holding facilities to maintain custody of detainees for periods not exceeding 72 hours, excluding holiday weekends. Such facilities include substations or precinct lockups, as well as facilities operated as collection centers in which detainees are held for periods not exceeding 72 hours before their transfer to longer term detention facilities.

Not included in this category are holding facilities collocated with and operated as an integral part of a jail or other detention facility whose primary purpose is to house detainees for periods exceeding 72 hours. Agencies operating such facilities should contact the Commission on Accreditation for Corrections for possible accreditation. Also excluded are rooms, areas, or space provided for processing, questioning, or testing a detainee—when the detainee is under continuous supervision and control of agency personnel within the room, area, or space and for a period of time not to exceed two hours.

This chapter has been substantially revised since initially promulgated in 1983 and was approved by the Commission in 1986.

### 72.1 Organization, Management, and Administration

**72.1.1** *The agency has a written directive that governs the operation and maintenance of the holding facility.*

**Commentary:** The written directive may be in the form of a manual that covers management, operations, security, detainee accounting, and control. (M M M M M M)

**72.1.2** *A written directive designates one person as responsible for the operation of the holding facility.*

**Commentary:** It is important for successful operation of the facility that one person be held responsible for the facility's operation, including management of its personnel, detainees, programs, and physical plant. (M M M M M M)

**72.1.3** *A written directive requires that all personnel receive training on the operations of the holding facility.*

**Commentary:** Types and levels of training will vary with the nature of assignments and responsibilities. Employees who work in direct, continuing contact with detainees require special training, including use of physical restraint, to ensure safety and security of staff and detainees. Employees who do not work in direct contact with detainees should receive an orientation on the operation of the holding facility and their role, if any. (M M M M M M)

**72.1.4** *A written directive governs access of non-essential persons to the holding facility.*

**Commentary:** If nonessential persons are granted access to holding facilities, their presence should not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or the defense. Access of all nonessential persons should be pro-

hibited in emergency situations.  
(M M M M M M)

**72.1.5** *The agency has procedures for safeguarding detainee records from unauthorized disclosure.*

**Commentary:** A detainee's constitutional right to privacy can be violated if records are improperly disseminated. The agency should establish procedures to limit access to detainee records in accord with federal and state statutes.  
(M M M M M M)

## 72.2 Physical Plant

**72.2.1** *Holding facilities provide the following minimum conditions for detainees:*

- *lighting of at least 20 footcandles;*
- *circulation of fresh or purified air in accordance with local public health standards;*
- *access to a toilet, wash basin or shower, and drinking water; and*
- *a bed and bedding for each detainee held in excess of eight hours.*

**Commentary:** Sufficient air, lighting, and sanitary facilities are essential to the health of detainees. Bedding issued to detainees held overnight should be clean, sanitary, and fire-retardant. The directive may provide exceptions for detainees who are deemed to be suicidal.  
(M M M M M M)

## 72.3 Safety and Sanitation

**72.3.1** *A written directive prescribes fire prevention practices and procedures for the facility.*

**Commentary:** The agency should plan and execute all reasonable procedures for the prevention and prompt control of fire, pursuant to the current *Life Safety Code* as published by the National Fire Protection Association.  
(M M M M M M)

**72.3.2** *The type and location of fire equipment is approved in writing by state or local fire officials.*

**Commentary:** Fire equipment should be located in easily accessible locations affording minimum opportunity for tampering.  
(M M M M M M)

**72.3.3** *A written directive requires a documented weekly inspection and a documented semiannual testing of fire equipment.*

**Commentary:** The inspection should focus on verifying the presence of equipment and detecting any tampering or damage. The semiannual testing, which may be conducted by agency personnel or fire officials, should ensure fire equipment is operational and functional as designed. (Documented weekly inspections are also required in three other standards: 72.3.7; 72.4.6; and 72.6.2.)  
(M M M M M M)

**72.3.4** *The facility has an automatic fire alarm and heat and smoke detection system that are approved in writing by state or local fire officials.*

**Commentary:** The facility should have the capability to alert staff to the presence of a fire and/or smoke in the facility. The fire alarm system should be connected directly to the nearest full-time, emergency dispatch center.  
(M M M M M M)

**72.3.5** *A written directive requires daily inspection and documented monthly testing of the facility's automatic fire detection devices and alarm system.*

**Commentary:** Automatic devices, required in Standard 72.3.4, shall be tested to determine that they are functional. In infrequently used facilities, the systems should be inspected prior to each use of the facility. (M M M M M M)

**72.3.6** *There is a written and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.*

**Commentary:** If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of detainees. The plan also should include provisions for first aid and hospital transportation.  
(M M M M M M)

**72.3.7** *A written directive requires a documented weekly sanitation inspection of the facility and specifies procedures for control of vermin and pests.*

**Commentary:** Any condition conducive to harboring or breeding insects, rodents, or other vermin should be eliminated. If necessary, pest control professionals should be used to clean or fumigate the facility. (M M M M M M)

## 72.4 Security and Control

**72.4.1** *A written directive specifies that firearms will be secured before anyone enters the holding facility.*

**Commentary:** Exceptions to the standard may be made in certain emergency situations, which should be specified in the written directive. (M M M M M M)

**72.4.2** *A written directive governs conditions under which an officer enters an occupied cell.*

**Commentary:** To ensure that detainees held in cells do not have an opportunity to take keys from an officer and escape, it is preferable that officers not enter a cell alone, unless they are being monitored by visual or audio surveillance devices and/or have a distress alarm in their possession. (M M M M M M)

**72.4.3** *A written directive governs control and use of keys.*

**Commentary:** The key control system should provide an accurate accounting of the location and possessor of each key. Duplicate emergency keys or a master key should be readily available in emergency situations. (M M M M M M)

**72.4.4** *A written directive specifies which holding facility doors are to be secured and when.*

**Commentary:** It is essential that staff members know which doors should be locked, when, and under what circumstances they should be opened. Doors to vacant units, unoccupied cells, and storage rooms should be locked when not in use. Doors should be tested for vulnerability after they are secured. (M M M M M M)

**72.4.5** *A written directive requires a security check, including searching for weapons and contraband, prior to each use of an unoccupied cell.*

**Commentary:** A security check, including a search for weapons and contraband, should be made of each unoccupied cell prior to use. In addition, a cell should be checked when it becomes unoccupied. The written directive should indicate who is responsible for making this security check and require that any conditions observed be reported immediately to supervisory personnel either verbally or in writing. (M M M M M M)

**72.4.6** *A written directive requires a documented security inspection, including searching for weapons and contraband, of the holding facility at least weekly.*

**Commentary:** At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering. Inspections should include occupied

and unoccupied cells. Results of these inspections shall be submitted in writing to the chief executive officer or his designee. All defective security equipment should be replaced or repaired immediately. All holding areas and other areas to which detainees have access should be searched for weapons and contraband. (M M M M M M)

**72.4.7** *A written directive governs control of tools and culinary equipment.*

**Commentary:** Provision should be made for checking tools and utensils in and out and for supervising their use. A system to control tools brought into the facility by outside maintenance persons should be provided. (M M M M M M)

**72.4.8** *There is an audio communication system between a designated control point and holding areas.*

**Commentary:** An audio communication system may be enhanced by the use of video equipment to supplement personal supervision by staff. Detainees also can use the system to advise staff of emergency needs. (See also Standard 72.8.3.) (M M M M M M)

**72.4.9** *There is a security alarm system linked to a designated control point.*

**Commentary:** Emergency alarm systems, which may include officer-carried "alert" or "panic" alarms, are vital to the safety of detainees and staff and to the security of the facility. (M M M M M M)

**72.4.10** *A written directive prescribes procedures to be followed in the event of an escape.*

**Commentary:** The procedures to be followed if an escape occurs should be made known to all personnel. They should include provisions for sounding alarms, alerting officials, mobilizing resources, and ending the alert. (M M M M M M)

**72.4.11** *A written directive requires a documented report of all incidents that threaten the facility or any person therein.*

**Commentary:** Emergency situations may be reported verbally, but a written record of such incidents shall be made available for administrative review as soon as possible. (M M M M M M)

## 72.5 Detainee Processing

**72.5.1** *A written directive requires that a search be made of all detainees before entry into the holding*

facility and that a written, itemized inventory be made of all property taken from a detainee.

**Commentary:** The written directive should specify which items may be retained by the detainee and which may not. It is important to record carefully all property pending its return at the time of release. Unauthorized items and confiscated contraband should be shown on the inventory along with the detainee's signature and a copy placed in the detainee's file. If possible, this process should be witnessed. If the detainee refuses to sign the inventory, it should be so noted.

(M M M M M M)

**72.5.2** A written directive requires the secure storage of any property taken from detainees.

**Commentary:** Secure storage facilities should be available for detainees' property or any other items that detainees have in their possession at time of detention. (M M M M M M)

**72.5.3** An intake form is completed for every person booked into the facility and contains the following information to the extent permitted by law:

- arrest information
- apparent physical condition
- property inventory and disposition

**Commentary:** Intake information should enhance the ability of the facility staff to promote conditions that contribute positively to the health and security of the detainee, to the safety of others, to the security of property, and to the positive identification of the detainee. Standard 72.6.3 sets forth the requirements for medical screening of detainees on booking into the facility and before transfer to another facility.

(M M M M M M)

**72.5.4** Juvenile holding areas are separate from adult holding areas.

**Commentary:** Juvenile holding areas should be separated by sight and sound from adult areas. Juveniles should also be processed into the facility separately. (M M M M M M)

**72.5.5** Holding areas for female detainees are separate from male areas.

**Commentary:** Female holding areas should be separated by sight and sound from male holding areas. (M M M M M M)

**72.5.6** A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.

**Commentary:** The holding facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol, and such persons should be detained in other facilities, when available. When these facilities are not available, special consideration should be given to ensuring that the potential for detainees to injure themselves or others is minimized. Such detainees should remain under close observation by facility staff. (M M M M M M)

**72.5.7** If detainees are received from an outside agency, positive identification is made of the person presenting the detainee for detention, including verification of the person's authority to make the commitment.

**Commentary:** If unknown, the person presenting the detainee for detention should be required to produce a badge and appropriate credentials, such as a commission card (preferably with a photograph), that certify his or her authority to make the commitment. Phone calls may be necessary to verify the identity of the presenting party.

(M M M M M M)

**72.5.8** A written directive prescribes space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the holding facility.

**Commentary:** The directive should address such matters as provision for extra personnel, additional physical facilities, and booking and detention procedures. (See also Standard 2.1.9.)

(M M M M M M)

**72.5.9** A written directive requires positive identification be made before a detainee is released.

**Commentary:** It is essential that the releasing officer verify that the right person is being released.

(M M M M M M)

**72.5.10** A written directive governs the return of property to detainees upon release.

**Commentary:** Property should be compared with the inventory list and, if everything is in order, the detainee should sign a receipt for property returned. Property retained for evidentiary or other purposes should be noted on the receipt. If the detainee is released to a transporting officer for transfer to another facility, the property should be given to the transporting officer, who should sign the receipt. The facility should maintain a copy of the receipt for its files.

(M M M M M M)

## 72.6 Medical and Health Care Services

**72.6.1** *A written directive, approved by a licensed physician, identifies the policies and procedures to be followed when a detainee is in need of medical assistance.*

**Commentary:** Arrangements for detainee emergency health care should be made with a local medical facility. If possible, a licensed health care professional should be identified as the emergency health care contact person. At least one on-duty person should be certified in first aid. The intent of this standard is to ensure that staff recognize, take immediate action on, and report all detainee medical emergencies.

(M M M M M M)

**72.6.2** *A first aid kit is available in all facilities and is subjected to a documented weekly inspection and replenished, as necessary.*

**Commentary:** First aid equipment available to facility personnel should provide a capability for proper response to a broad range of anticipated emergencies. (M M M M M M)

**72.6.3** *A written directive requires that detainee "receiving-screening" information be obtained and recorded when detainees are admitted to the facility and before transfer to another facility. Receiving-screening should include an inquiry into:*

- *current health of the detainee;*
- *medications taken by detainee;*
- *behavior, including state of consciousness and mental status; and*
- *body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.*

**Commentary:** The purpose of the screening is to determine if medical attention is required. Female detainee screening should take into account the special needs of women.

Receiving-screening may be performed by allied health personnel or by trained correctional officers at the time of booking. The information obtained may be recorded on a separate form designed for this purpose or recorded with other information obtained during the booking process. (See Standard 72.5.3.) In addition, a record should be kept of all treatment and medication administered to a detainee, including circumstances or events necessitating such treatment.

(M M M M M M)

**72.6.4** *Procedures for gaining access to medical services are posted in areas used by detainees.*

**Commentary:** It is important that detainees know that emergency health care services are available to them. The procedures for requesting emergency health care should be posted in conspicuous places, in English and in any other languages that may be prevalent in the area. Access procedures should be explained orally to detainees unable to read. (O O O O O O)

**72.6.5** *If the agency dispenses pharmaceuticals, a written directive governs distribution and documentation of those pharmaceuticals within the facility.*

**Commentary:** Proper distribution of pharmaceuticals includes procedures for administering labeled drugs and controlled substances.

(M M M M M M)

## 72.7 Detainee Rights

**72.7.1** *A written directive sets forth procedures regarding a detainee's timely court appearance.*

**Commentary:** The procedures should ensure that a detainee's constitutional right of access to the courts is not inhibited. (M M M M M M)

**72.7.2** *A written directive requires that a detainee's opportunity to make bail is not impeded.*

**Commentary:** Given local circumstances and applicable law, a detainee should be able to consult with the jurisdiction's pretrial release agency, if one exists, or with a bail bondsman as soon as possible after admission to the facility.

(M M M M M M)

**72.7.3** *A written directive prescribes procedures to be used to ensure the right of detainees to have confidential access to attorneys.*

**Commentary:** Every effort should be made to ensure privacy in contacts between attorneys and their clients. Detainees should be able to consult with attorneys, their representatives, or experts retained by them. (M M M M M M)

**72.7.4** *A written directive sets forth procedures for a detainee's access to a telephone.*

**Commentary:** Detainees should be afforded a chance to contact persons at the first practical opportunity during the admissions process. Any limits on the use of the telephone, such as the type and number of calls and their duration, should be stated. If the detainee is unable to complete the call without assistance, a staff member should provide that assistance or, if requested, should make the call for the detainee. These phone calls

should be monitored only when there are substantial reasons for doing so.  
(M M M M M M)

**72.7.5** *Three meals are provided to all detainees in the facility during each 24-hour period.*

**Commentary:** No more than 14 hours should elapse between meals, except when a different dietary regimen is medically indicated.  
(M M M M M M)

## 72.8 Supervision of Detainees

**72.8.1** *A written directive requires 24-hour supervision of detainees by agency staff, including a count of the detainee population at least once per shift.*

**Commentary:** Twenty-four-hour supervision is essential for maintaining security and ensuring the safety and welfare of detainees. Supervision, as used in this standard, assumes agency staff are present in the same building that houses the holding facility and not at a remote location. One intent of this standard is to prohibit delegating supervision to a trusty.

In addition to a count of the detainee population at least once each shift, other counts may be necessary prior to and following certain activities, such as night lockup, recreation, and meals.  
(M M M M M M)

**72.8.2** *A written directive requires that each detainee be visually observed by agency staff at least every 30 minutes.*

**Commentary:** Care should be taken during physical checks that the detainee does not anticipate the appearance of agency staff. Detainees who are security risks should be under closer surveillance and may require more frequent observation. This classification includes not only detainees who are violent but also those who are suicidal or mentally ill or demonstrate unusual or bizarre behavior. (M M M M M M)

**72.8.3** *If audio or visual electronic surveillance equipment is used, a written directive specifies that the equipment will be controlled to reduce the possibility of invading a detainee's personal privacy.*

**Commentary:** Electronic surveillance devices, such as television cameras and listening devices, should be used primarily at critical locations of movement in the facility. They should not be used in such a way that they violate the personal privacy of detainees. Exceptions may be made and those exceptions should be noted in the directive.

(See also Standard 72.4.8.)  
(M M M M M M)

**72.8.4** *A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member.*

**Commentary:** It is extremely difficult for staff to supervise detainees of the opposite sex; agency staff should be carefully advised of procedures to be followed in these instances.  
(M M M M M M)

**72.8.5** *A written directive governs inspection of detainee mail and/or packages to intercept cash, checks, money orders, and contraband.*

**Commentary:** Cash, checks, or money orders received from incoming mail or from visitors should be duly receipted, added to the detainee's property inventory report, and housed with the detainee's other property. Only unauthorized items and items that threaten the security of the facility should be considered contraband. The written directive should identify unauthorized items included as contraband and specify how confiscated contraband is to be handled.  
(M M M M M M)

**72.8.6** *A written directive governs detainees' visitation rights and prescribes procedures for registering visitors to the facility and for searching visitors.*

**Commentary:** Detainees should be permitted visitors consistent with security needs and maintenance of order. Each visitor should be required to register his or her name, address, and relationship to detainee upon entry. Generally, all visitors, and their belongings, coming into direct contact with detainees should be searched.  
(M M M M M M)

## Glossary

### TOPICAL AREA: HOLDING FACILITY

**BOOKING:** A procedure for admitting to a holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.

**CONTRABAND:** Items that are not permitted within a holding facility because of their illegality or possible use to disrupt security measures within the facility.

**DETAINEE:** A person who, having been detained, is held in a holding facility for not more than 72 hours. Such persons are held in the holding facility pending arraignment, release, adjudication, or transfer to another facility.

**ESSENTIAL PERSONS:** Designated staff and detainees are essential persons. All other persons are considered to be nonessential persons.

**FIREARM:** A weapon that expels a projectile by means of exploding or expanding gases.

**HOLDING FACILITY:** A temporary confinement facility for which the custodial authority is usually less than 72 hours and where detainees are held pending release, arraignment, adjudication, or transfer to another facility. Excluded from this definition are rooms, areas, or space provided for processing, questioning, or testing a detainee—when the detainee is under continuous supervision and control of agency personnel within the room, area, or space and for a period of time not to exceed two hours.

**LIFE SAFETY CODE:** The current manual published by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest. One chapter is devoted to correctional facilities.

**NONESSENTIAL PERSONS:** See "Essential Persons."

**PHYSICAL PLANT:** The physical confines of the holding facility. The reception area for the facility, the sallyport, holding cells, and related spaces are included. If used only for booking detainees into the holding facility, the booking area is included.

**PROCESSING:** As used in the third paragraph of the Introduction and in the definition of "Holding Facility" (above), "processing" includes prebooking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or they may be escorted to a holding facility-at which time they would be booked. The Commission has exempted "rooms, areas, or space" used for "processing, testing, etc." from compliance with the standards if certain conditions are met, namely, "continuous supervision and control" and "for a period of time not to exceed two hours."

## NOTES

# 73

## COURT SECURITY

Civil and criminal courts adjudicate cases, penalize those found guilty of violating the law, and protect the constitutional rights of those brought before them. Violence, or a threat of violence, in the courtroom would have a profound negative impact on the court's functioning. Accordingly, appropriate levels of security should prevail in the court and/or courtrooms to protect the integrity of court procedures, to sustain the rights of individuals before it, to deter those who would take violent action against the court or participants in court procedures, and to sustain the decorum of the court. Security measures used should include those designed to maintain the physical security of facilities and protect the judge, jury, and all other participants in the proceedings in court, as well as the public. These measures should be designed to intercept and remove individuals and items that may represent a threat to the peace, order, and integrity of the court.

Although the size and numbers of courts and/or courtrooms in a particular jurisdiction will vary considerably, a minimum level of security should prevail in each. The security function for the courthouse and/or courtrooms may be shared by two or more officials, or one official may carry this responsibility alone. When responsibility is share by two or more officers, a memorandum of agreement should identify the responsibilities of each.

Standards specified herein apply only to those law enforcement agencies that have responsibilities for provision of security within the courtroom (including limited-use courtrooms and court facilities), for the courthouse itself, or both. The categories of standards set forth are administration, physical security, security operations, personnel, and equipment. Emphasis is given to the fact that effective security for the courthouse and/or courtrooms will be dependent on the use of written directives and operational plans. Also, it is implicit that written directives prepared in response to these standards are not in conflict with prevailing laws or court orders.

### 73.1 Administration

**73.1.1** *A written directive governs courthouse/courtroom security.*

**Commentary:** The written directive may be as simple as a general order or as sophisticated as a desk-top manual. (M M M M M M)

**73.1.2** *The written directive for courthouse/courtroom security is immediately available to all persons designated therein.*

**Commentary:** The written directive governing courthouse/courtroom security is immediately available to persons assigned to the function. (M M M M M M)

**73.1.3** *The written directive governing courthouse/courtroom security contains the following elements:*

- *the physical security plan*
- *security operations*
- *special operations plans*
- *hostage situation response plan*
- *high-risk trial plan*
- *emergency procedures (fire, bomb, disaster)*

**Commentary:** The elements in this standard identify some of the basic data to be included in the directive governing courthouse security. (Also, see standard 73.1.5.) (M M M M M M)

**73.1.4** *There is a physical security plan for protection of the courthouse/courtroom.*

**Commentary:** The physical security plan is designed to protect the courthouse, its assets, and occupants by use of personnel, hardware (includ-

ing fire detection and protection equipment), and structural elements. The plan addresses the following subjects: (1) perimeter lighting (exterior); (2) doors (perimeter); (3) windows; (4) doors (interior); (5) interior lighting—halls; (6) interior lighting—rooms; (7) alarms (duress and intrusion); (8) communications; (9) evacuation routes; (10) fire detection—smoke detectors; (11) fire protection—hydrants, hoses, and extinguishers; (12) parking lots; and (13) auxiliary power. (See also standard 73.1.5.) (M M M M M M)

**73.1.5** *A written directive establishes liaison among persons sharing responsibility for courthouse/courtroom security.*

**Commentary:** In instances in which the law enforcement agency shares responsibility with a court administrator, presiding judge, judge's security committee, or others, there should be clearly understood channels of communication to ensure adequate security for the facility. (M M M M M M)

**73.1.6** *A written directive describes the duties of the person performing the function of bailiff.*

**Commentary:** In addition to describing the duties of a bailiff, the written directive may include procedures for proper jury care and the handling of in-custody defendants. (M M M M M M)

**73.1.7** *A written directive governs weapons in the courthouse/courtroom.*

**Commentary:** This may be based on recommendation of the agency's chief executive officer or the direction of the court. (M M M M M M)

**73.1.8** *When directives prohibit weapons in parts of the courthouse, lockboxes are available and are located in a controlled area having limited access by the public.*

**Commentary:** Rules of the court or other regulations may prohibit weapons being carried in parts of the courthouse. Lockboxes should be located so that they are convenient for law enforcement officers as well as secure. (M M M M M M)

## **73.2 Physical Facilities**

**73.2.1** *When dangerous substances, including weapons, ammunition, and tear gas, are maintained in the courthouse, they are stored in a secure area.*

**Commentary:** In this instance, a secure area will encompass the following characteristics: (1) access is limited to those identified by the agency's chief executive officer; (2) the door is locked by a dead-bolt lock or padlock meeting federal or military specifications; (3) doors with exposed hinges have hinge pins welded or turned to preclude removal; (4) windows are covered with permanently affixed bars or expanded steel mesh; and (5) the area is ventilated and not subjected to extremes of hot or cold within limits shown on tear gas containers.

It is also desirable that the area be equipped with a sprinkler system or fire extinguishers and that openings be equipped with intrusion alarms. (M M M M M M)

**73.2.2** *The secure area used for storage of dangerous substances in the courthouse is equipped with fire-fighting equipment.*

**Commentary:** The equipment can be as sophisticated as a sprinkler system or as simple as fire extinguishers. (M M M M M M)

**73.2.3** *A written directive designates circulation patterns governing movement of people in the courthouse/courtroom.*

**Commentary:** Ideally there should be three such patterns separating prisoners from judges, from juries, and from court staff. However, the construction of most older courthouses precludes the establishment of three patterns without extensive remodeling or new construction. Three patterns should be expected in new construction or remodeling of larger multicourt facilities. If it is not possible because of the size or configuration of the courthouse to achieve separate routings for the general public, judges, juries, court staff, and prisoners, a timed sequence controlling the movement of such persons should be developed. (M M M M M M)

**73.2.4** *There are secure or controlled entrances to bring prisoners into the courthouse.*

**Commentary:** This may be in the form of a salyport or an entrance from which the public is restricted, at least at the time of prisoner movement. (M M M M M M)

**73.2.5** *There are facilities in the courthouse for the temporary holding of prisoners.*

**Commentary:** These facilities are those in which the prisoner can be locked up and isolated while waiting to appear in court or while awaiting return to jail. Facilities should be inspected daily before and after occupancy for contraband and integrity

of the walls, floors, and ceilings. There should be access from the holding facility to the courtroom without having to pass through public areas.  
(O O M M M M)

### 73.3 Security

**73.3.1** *A written directive governs required searches of the courtroom for contraband.*

**Commentary:** At a minimum, a visual examination of the courtroom immediately prior to the morning session, after recess, and again at adjournment should be conducted. After morning or recess search, the courtroom should be securely locked or kept under direct supervision of the bailiff or court security officer pending reconvening of the court.  
(M M M M M M)

**73.3.2** *A written directive governs taking of hand-carried articles into the courtroom.*

**Commentary:** The directive may limit by size or category or forbid entirely taking hand-carried items into the courtroom. It should allow for the search of such items at the discretion of the court security officer or bailiff, and in certain circumstances should be mandatory, such as during high-risk trials. (M M M M M M)

**73.3.3** *A written directive governs use of restraints on persons in custody while in the courtroom.*

**Commentary:** These persons may be defendants awaiting trial, convicted persons awaiting sentence, or prisoners appearing as participants in a trial. The use of all restraining devices should be clearly set forth as applicable to the above whether they be male, female, juvenile, or handicapped persons. Application of policy should be uniform and consistent.  
(M M M M M M)

**73.3.4** *A written directive governs key control for the courthouse if it is under management of the courthouse security officer.*

**Commentary:** Keys, particularly masters and grand masters, should be under close supervision at all times. Their issuance should be strictly controlled. The loss of keys for sensitive areas requires rekeying of affected locks without delay. There are exceptions to this standard, such as evidence rooms, since the clerk of the court or others are solely responsible for their lock security.  
(M M M M M M)

**73.3.5** *A security survey for the courthouse has been completed within the preceding 12 months.*

**Commentary:** The survey is considered current if it has been conducted within the preceding 12 months or has been reviewed and updated within that period. Whenever there is structural change, there should be an update. The date of review and identity of the reviewer should be noted on the title page or separate page of the survey. A suggested security survey report format is included in the glossary. (M M M M M M)

### 73.4 Personnel

**73.4.1** *A written directive designates the person or persons responsible for courthouse security.*

**Commentary:** The responsible officials may be designated by name of person or title of position. This designation should be in writing, signed by duly constituted authority. Individual responsibility may be for the courthouse in its entirety or the courtrooms and ancillary spaces only, and may or may not be a full-time assignment.  
(M M M M M M)

**73.4.2** *A written directive specifies that only persons qualified for performance of the duties of a bailiff or court security officer are assigned bailiff or court security duties.*

**Commentary:** Properly performed, these duties require a high level of physical and mental capabilities on the part of those charged with the protection of the judge and officers of the court, litigants, and the general public. Emergency situations require decisive action by capable persons.  
(M M M M M M)

### 73.5 Equipment

**73.5.1** *Equipment used for courthouse/courtroom security is specifically identified and its availability recorded in an appropriate document.*

**Commentary:** It is important that managers know the types, qualities, condition, and location of such equipment. A list that identifies dates of acquisition and shelf life for such material as chemical agents should be readily available to the courthouse security officer. Recorded items should include: (1) weapons; (2) chemical agents (tear gas); (3) electronic gear, such as alarms, communications equipment, etc.; (4) fire detection and fire-fighting items; (5) restraint items; (6) medical emergency items; (7) crowd control items; and (8) photographic equipment.  
(M M M M M M)

**73.5.2** Courtrooms are equipped with duress alarms.

**Commentary:** Duress alarms are usually operated by switches at the judge's bench. It is also advisable to have switches at the clerk's and the bailiff's positions. The alarms should terminate in an area from which rapid response can be made to the call for assistance. The level of sophistication of the alarm system should be consistent with the needs of individual courtrooms.

(M M M M M M)

**73.5.3** All duress alarms are tested prior to the time court convenes.

**Commentary:** This includes alarms in the courtroom, judge's chambers, and such other offices that may be so equipped. Confidence in the performance of alarm systems is essential. Testing of alarms and results thereof should be made a matter of record. (M M M M M M)

**73.5.4** Courtrooms without windows or ones used for night court, stairwells, secured or controlled passage ways, and areas adjacent to a holding facility are equipped with an emergency light source.

**Commentary:** In a small jurisdiction this may consist of battery-operated lanterns that automatically switch on in the event of a power failure. Larger courthouses may be on an emergency generating system. (M M M M M M)

**73.5.5** Restraining devices are available for use when ordered by the court.

**Commentary:** These devices should be readily available for use by the bailiff or courtroom security officer. They should be stored out of sight in an area in or near the courtroom.

(M M M M M M)

**73.5.6** Courtrooms are equipped with at least one means of external oral communication.

**Commentary:** This may be a telephone, a two-way radio (fixed or portable), or an intercom system. The need to communicate orally with security personnel in specific emergencies, such as a hostage situation, dictates this standard.

(M M M M M M)

**73.5.7** A written directive requires an emergency medical plan for the courthouse.

**Commentary:** The plan should include the medical resources available to the courthouse and the procedures required to put the plan in effect.

(M M M M M M)

**73.5.8** The courthouse security officer has access to a magnetometer.

**Commentary:** A hand-held magnetometer will satisfy the requirement of this standard, but a walk-through type is more suitable. In those instances in which it may not be economically feasible for each courthouse to have its own walk-through magnetometer, the courthouse security officer should identify one or more sources of a unit that can be borrowed for a limited time.

(M M M M M M)

## Glossary

### TOPICAL AREA: COURT SECURITY

**BAILIFF:** A court officer who guards the jurors, maintains order in the courtroom, announces the opening and closing of the court, calls witnesses and other persons to appear in court, attends to other matters under the court's direction, and may maintain secure custody of defendants while in court. His or her duties may include both security and clerical functions.

**CIRCULATION PATTERNS:** Concern the movement of persons from place to place and for purposes of these standards are divided into three distinct routes. The first pattern is for the movement of the general public, who are usually allowed free movement from place to place, excluding restricted areas. The second pattern provides controlled access in areas used by judges, officers of the court, or visitors whose presence is under control; in many instances this pattern is also used to move prisoners under escort from a detention area to court and back. The third pattern is under the control of sworn law enforcement officers or custodial officers and is used exclusively for the movement of prisoners and may contain holding areas. The secure area is inaccessible by other than authorized personnel.

**COURT:** A judicial officer or the room or space where judicial officers conduct trials, hearings, or other judicial activities.

**COURTHOUSE SECURITY OFFICER:** A person who is responsible for the security of the courthouse. In some jurisdictions his or her responsibility may be limited to the courtrooms and related spaces, such as judges chambers, jury deliberation rooms, and spaces occupied by officers of the court.

**HIGH-RISK TRIAL:** A trial the nature of which indicates a serious security threat or can provoke a strong emotional response from the general public or interested groups. That response may threaten the safety of those involved or lessen the integrity of the judicial process.

**MAGNETOMETER:** A device for measuring magnetic fields; used to detect ferrous and nonferrous metal objects in either hand-held or walk-through configurations; commonly known as a "metal detector."

**PHYSICAL SECURITY PLAN:** A plan concerning security of the physical aspects of an area, a structure, or areas within a structure.

**SECURITY OFFICER:** A sworn law enforcement officer, who may or may not be uniformed and armed, having responsibility for maintaining security in courtrooms and courthouses. He or she does not ordinarily perform the duties of a bailiff.

**SECURITY SURVEY:** An on-site examination and analysis that (1) determines the nature and degree of the threat, the exact kind and degree of protective measures used, and the precise kinds of security measures that are needed and (2) recommends actions to be taken to establish the appropriate level of security.

## NOTES

# 74

## LEGAL PROCESS

Many law enforcement agencies are mandated by state constitution, statute, or ordinance to serve civil process and/or execute criminal process in support of the judicial function.

The functioning of the courts is affected by the prompt service of court documents. Thus, the effectiveness and image of the judicial system are dependent, in part, upon the effective and timely service of court documents.

The types of process to be served or executed vary among jurisdictions as do some of the agencies' concomitant responsibilities, depending on the source of legal authority. Inadequate recordkeeping and/or inappropriate procedures may subject the law enforcement agency to litigation and civil liability.

In many cases, the law enforcement agency collects funds derived from fees and sale of property at the direction of the court. Consequently, the agency must ensure proper accountability of these funds.

Standards in this chapter address areas of agency discretion in performing and recording its legal process functions, including records, civil process, criminal process, financial requirements, and property management. The standards are designed to ensure sufficiency of information, accuracy, timeliness, accessibility, and fiscal accountability in the delivery of legal process services.

Standards in this area address legal process originating with the court and served or executed by the law enforcement agency, as distinguished from court handling prior to service or execution.

### 74.1 Records

**74.1.1** *A record system maintained for criminal warrants permits 24-hour access.*

**Commentary:** The need for timely and accurate information on criminal warrants is continuous, not limited to conventional working hours. Providing officers with timely and accurate information and status may avoid liability for false imprisonment and kindred torts.

(O O M M M M)

**74.1.2** *Information regarding each item of legal process, civil and criminal, is recorded, including the following elements:*

- *date and time received*
- *type of legal process (civil or criminal)*
- *nature of document*
- *source of document*
- *name of plaintiff/complainant or name of defendant/respondent*

- *officer assigned for service*
- *date of assignment*
- *court docket number*
- *date service due*

**Commentary:** Record entries may be cross-referenced so that the information can be retrieved by means of the court's docket number and by the names of any of the parties to the action. In most instances, a unique number should be assigned to permit cross-reference of the return with the entry. (O O M M M M)

**74.1.3** *A record of attempts to serve each legal process document is maintained.*

**Commentary:** The address where the service was attempted, date, time, name of the officer who attempted service, and the reason for nonservice are entered on the record. (M M M M M M)

**74.1.4** *Records on the service or execution of legal process documents include the following elements:*

- *date and time served*
- *name of server*
- *to whom process was served or on whom executed*
- *method of service*
- *location of service*

**Commentary:** The record must reflect the nature and date of the disposition of the instrument, including whether it was served personally or by other means. If substitute service was made, the record reflects the manner, date, and location. (M M M M M M)

**74.1.5** *A written directive governs the service or execution of legal process in foreign jurisdictions.*

**Commentary:** The directive details the procedures to be employed to effect service or execution of civil or criminal process in foreign jurisdictions. The directive includes requirements for domestic service noted under standards 74.2.1 and 74.3.1. (M M M M M M)

## **74.2 Civil Process**

**74.2.1** *Written directives govern the service of civil process documents.*

**Commentary:** Typically, the written directives should describe the role of the process servers and their general responsibilities relating to the methods of service and the actions required of the servers. Additionally, each type of process in the jurisdiction can be identified, and any specific requirements unique to that individual process should be explained. The procedures for execution of the return can be explained, including notations and attachments. The directive should also contain details for service on partnerships and corporations as well as service of foreign process. (M M M M M M)

**74.2.2** *Execution of orders for civil arrest is performed by a sworn law enforcement officer.*

**Commentary:** Restricting the individual's "present right to personal liberty" is best performed by an arresting officer who has proper authority and training. (M M M M M M)

**74.2.3** *Any writ requiring the seizure of real or personal property is executed by a sworn law enforcement officer.*

**Commentary:** The seizure of property pursuant to a court order involves a potential for resistance. In the execution of such writs, the agency should ensure that the officer assigned has the power to keep the peace and that sufficient officers are assigned to deter breach of the peace during each execution. (M M M M M M)

## **74.3 Criminal Process**

**74.3.1** *Written directives govern the execution of criminal process.*

**Commentary:** The directives should address the types of warrants to be executed, territorial limitations upon execution, time requirements for execution, statutory provisions for summoning aid, and procedures for the issuance of summons in lieu of arrest. Consideration should also be given to such matters as standards for the use of force, statutory provisions respecting immunity from arrest, as well as other statutory provisions pertaining to arrest in the jurisdiction. (M M M M M M)

**74.3.2** *Arrest warrants are executed by sworn law enforcement officers only.*

**Commentary:** The statutes of every state provide that an arrest warrant be directed to "any law enforcement officer." These statutory mandates, plus the broader potential civil liability for citizens who effect arrests, make it essential that only sworn officers execute criminal process. (M M M M M M)

**74.3.3** *A written directive specifies the procedures to be observed, and their order, for any arrest made without a warrant.*

**Commentary:** The written directive should include procedures imposed by the U.S. Supreme Court, the supreme court of the applicable state, and any legislation pertaining thereto governing the laws of arrest. Also included should be circumstances that permit a warrantless arrest; areas that may be searched incident to an arrest, both with and without a search warrant; and requirements that pertain to arrestee rights. The directive should be updated in a timely fashion so that it reflects new decisions that add to the substantive law of arrest. (M M M M M M)

## **74.4 Financial Management**

**74.4.1** *Written directives govern receipt, disbursement, and audit of funds administered for the legal process function.*

**Commentary:** The directives require that the sum of all funds disbursed by the agency plus those retained equals those received and that periodic audits are conducted to verify accuracy of the records. In some agencies, funds are received in connection with the service of legal process and may eventually be disbursed to the agency itself, to the courts, to attorneys, to plaintiffs, or complainants. Records should be maintained in accordance with accepted accounting principles. (M M M M M M)

## 74.5 Property

**74.5.1** *All property received by the agency pursuant to the delivery of legal process services is accounted for in the agency records.*

**Commentary:** A written directive should address such matters as property seized pursuant to a court order, including description, identification numbers (where applicable), and the name of persons (or corporation) from whom the property was received. These records should be maintained for both real and personal property received by the agency. (M M M M M M)

**74.5.2** *All property acquired through the legal process function is disposed of by the agency pursuant to legal authority.*

**Commentary:** The disposal of seized, found, and recovered property should be pursuant to all applicable statutes and ordinances. (M M M M M M)

**74.5.3** *A written directive defines the methods to be used in the disposition of property acquired through the legal process function.*

**Commentary:** Statutory requirements for disposition of property should be observed, including advertising, and reflected in the written directive. In the event the statute is silent concerning the matter of advertising, this practice should be

followed to satisfy both practical and due process concerns. (M M M M M M)

## Glossary

### TOPICAL AREA: LEGAL PROCESS

**CIVIL ARREST:** A civil arrest is made pursuant to a written order by a judge of a competent jurisdiction in a civil action or proceeding. Such written orders may be given by a supreme court, the family court, county court, district court, or the surrogate's court, depending upon the area of the country.

**CIVIL PROCESS:** Those writs, summonses, mandates, or other process issuing from a court of law or equity pertaining to a cause of action of a civil nature. The term includes original, intermediate, and final process to be served by the agency in any action involving civil litigants.

**CRIMINAL PROCESS:** Those writs, summonses, mandates, warrants, or other process issuing from a court of law compelling a person to answer for a felony or misdemeanor. The term also includes process issued to aid in crime detection or suppression, such as search warrants.

**EXECUTION:** The performance of an act required by the writ, warrant, or other process commanding the seizure of a person or thing, as opposed to mere delivery of an instrument without any concomitant seizure. For the purposes of this chapter, an attachment is deemed an execution.

**FOREIGN JURISDICTION:** Another municipality, county, state, or nation. For the purposes of this chapter, a foreign jurisdiction is one in which the agency has no legal authority to serve or execute process by use of its own personnel.

**FOREIGN PROCESS:** Any writ, warrant, mandate, order, or other process, either civil or criminal, originating in a foreign jurisdiction and intended to be served or executed in the agency's jurisdiction.

**LEGAL PROCESS:** Any item of civil or criminal process, whether original, intermediate, or final that is valid on its face and is to be served or executed by the law enforcement agency.

**SERVICE:** The delivery of any item of civil process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.

## NOTES

# 81

## COMMUNICATIONS

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. It is the latter situation that places the greatest demands upon the communications system and tests the capability of the system to fulfill its functions.

The system conveys information from the public to the law enforcement agency through communications personnel, to the officer who responds to the call for assistance, to other law enforcement and public service agencies, and to information storage facilities and retrieval systems. The speed and accuracy with which information flows through each system component are measures of the agency's capability to respond to the needs of the community.

It would be virtually impossible to design a law enforcement communications system that would meet every agency's requirements. Each system must be sufficiently flexible in design to fulfill the needs of the individual agency. However, measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, utilizes available information technology in fulfillment of its missions.

### 81.1 Administration

**81.1.1** *A written directive establishes the agency's communications component.*

**Commentary:** The purpose of this directive should be to place accountability for the communications function within the agency's organizational configuration. In smaller agencies, this function may be combined with others. However, in larger agencies it should be a distinct entity.  
(O O M M M M)

**81.1.2** *A written directive establishes the agency's communications functions, to include:*

- radio communications
- telephone communications
- teletype and automated data communications
- alarm monitoring (if applicable)

**Commentary:** The communications system comprises at least the subsystems listed above. The written directive should establish these functions and specify activities associated with each. In small agencies, one person may be responsible for all functions. In larger agencies, these functions may be separated and staffed accordingly.  
(M M M M M M)

**81.1.3** *A written directive establishes the authority and responsibilities of personnel assigned to the communications component.*

**Commentary:** A written job description should contribute to standardization of service rendered, reduce errors, aid the training effort, and reduce confusion during emergency situations.  
(M M M M M M)

**81.1.4** *A written directive requires that the agency's radio operations be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.*

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

**81.1.5** *A written directive limits access to the communications center to authorized personnel.*

**Commentary:** In general, access should be limited to those persons who operate and command the center and to others specifically authorized. In regional centers, accessibility should be addressed jointly by participating agencies, with ample consideration given to physical plant location and security. (O O M M M M)

**81.1.6** *A written directive establishes procedures for routine telephone line load studies.*

**Commentary:** Without the proper number of telephone lines, calls placed to the agency may receive a busy signal or go otherwise unanswered due to lack of equipment. (M M M M M M)

**81.1.7** *A written directive establishes procedures for recording agency radio transmissions and emergency telephone conversations within the communications center.*

**Commentary:** These recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system. In regional centers, there should be an agreement among users governing the period the tapes are to be retained and their storage location. A minimum of 30 days is recommended for retention. (O O M M M M)

**81.1.8** *A written directive establishes criteria and procedures for reviewing recorded conversations.*

**Commentary:** Access to recordings should be limited and available only through a specific procedural method. Persons who have access to the tapes should be familiar with the playback requirements and documentation. Care must be exercised to ensure that tapes are not erased in error. (O O M M M M)

**81.1.9** *The agency has access to local, state, and federal criminal justice information systems.*

**Commentary:** The effectiveness of investigative efforts depends heavily upon the quality of information resources. Agencies should have the equipment they need to gain access to information from nearby agencies, regional law enforcement information networks, statewide information resources, and the National Crime Information Center. (M M M M M M)

## 81.2 Operations

**81.2.1** *The agency provides 24-hour, toll-free telephone access for emergency calls for service.*

**Commentary:** The public should be able to contact the law enforcement agency at all times for information or assistance that may be needed in emergencies. Agencies that are unable to maintain 24-hour telephone service should arrange for such service through neighboring departments, sheriff's departments, or the state police. Access to emergency services should be toll free within the agency's jurisdiction or permit free access to the Operator. (M M M M M M)

**81.2.2** *A written directive establishes procedures for performing telephone, radio, teletype and automated data communications functions.*

**Commentary:** The written directive may be a manual on the operations or activities in the communications center. Personnel in the center should have the manual accessible for reference. A model manual is available through the Associated Public-Safety Communications Officers, Inc. (APCO). (M M M M M M)

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

- officer in charge
- duty roster of all personnel
- telephone number of every agency member

**Commentary:** Communications personnel are often required to contact officers for court attendance, to administer special tests (breathalyzer), or to correct reports. They should have immediate access to such information as officers' working hours. They may need to call officers at home on their days off. (M M M M M M)

**81.2.4** *A written directive establishes procedures for procuring necessary services external to the agency.*

**Commentary:** These services should include fire equipment, environmental and human services, ambulances, helicopter or other aircraft, wreckers, cabs, and other services that are not components of the individual agency. The procedures must be specific for each individual service in order to provide prompt assistance in all, but especially in emergency, situations. (M M M M M M)

**81.2.5** *A written directive establishes procedures for prompt handling and appropriate routing of misdirected emergency calls.*

**Commentary:** It is common for one agency to receive emergency telephone calls intended for another law enforcement or public service agency. Although a single universal number system with automatic switching offers a solution to this problem, such a system is still in the future. Meanwhile, agencies should accept any misdirected emergency call and promptly relay information to the agency having jurisdiction. (M M M M M M)

**81.2.6** *A written directive specifies the information to be recorded at the time of a request for service, to include:*

- *date and time of request;*
- *name and address of complainant (if possible);*
- *type of incident reported;*
- *location of incident reported;*
- *time of dispatch;*
- *time of officer arrival;*
- *time of officer return to service; and*
- *disposition or status of reported incident.*

**Commentary:** A complaint control "system" can be a card, log, or computer entry that permits a permanent record to be maintained. Such records permit the agency to establish a control system to ensure a comprehensive field reporting program. This information should be recorded for all requests, including those received by telephone, letter, in person; self-initiated by officers; or reported to officers in the field.

(M M M M M M)

**81.2.7** *A complaint control number is assigned to each specific call for law enforcement service.*

**Commentary:** The complaint control number should be affixed to a communications center control record and the call disposition or result should be noted thereon. The number should serve as the basis for filing and retrieving subsequent reports of the incident. The number is indispensable for auditing the communications system.

(M M M M M M)

**81.2.8** *A written directive establishes procedures for obtaining relevant information for each call for law enforcement service.*

**Commentary:** The procedures should encourage eliciting as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. This is particularly important in certain categories of calls, and checklists may be provided to obtain additional information (e.g., for bomb threats, crimes in progress).

(M M M M M M)

**81.2.9** *A written directive requires the recording of the status of officers when out of service.*

**Commentary:** An administrative control "system" can be based on a card, log sheet, computer record, or any instrument that permits a permanent record to be retained. Such records should permit the agency to evaluate nonpatrol time for agency planning purposes, maintain a level of security for the officers, and retain records of vehicles and persons stopped by officers.

(M M M M M M)

**81.2.10** *A record is made of back-up officers assigned to assist a primary officer.*

**Commentary:** There are two generally accepted methods of recording information relative to a back-up officer: (1) preparing a complaint control document for the primary officer and writing in those officers assigned as back-up or (2) preparing a separate control document for each back-up officer assigned and utilizing the same control number as in the primary document number.

(M M M M M M)

**81.2.11** *In any telephone directory area, the agency uses a single emergency telephone number.*

**Commentary:** The ability of citizens to telephone quickly and easily for emergency service is critical. If the jurisdiction does not have a 911 system, it should make every effort to adopt an easily remembered phone number to be used by citizens in emergency situations. The phone number should be prominently displayed in phone books, on agency vehicles, in public phone booths, and in other conspicuous places.

(M M M M M M)

**81.2.12** *The agency has the capability of immediate playback of recorded telephone and radio conversations.*

**Commentary:** The citizen requesting service or officer wanting assistance may not be able to repeat an emergency conversation. Therefore, the agency should have the capability to replay a conversation immediately in the event that the original conversation was garbled or too quick for easy understanding. This capability can be provided with a parallel dual-load recorder or a smaller recorder that records only the previous short conversation. (O O M M M M)

**81.2.13** *A written directive specifies the agency's role in monitoring and responding to private security alarms.*

**Commentary:** The agency should have a formal policy concerning monitoring commercial and private residential alarm systems. The agency should seek regulating legislation for the installation and maintenance of the various alarm systems. Such legislation should specify sanctions for excessive false alarms. Care must be exercised in considering private home alarms that ring into department telephone lines. The agency's policy should also consider the availability of commercial alarm companies to service business alarms.

(M M M M M M)

**81.2.14** *The agency's communications personnel have immediate access to tactical dispatching plans.*

**Commentary:** The dispatching plans should include procedures to be followed in directing resources and obtaining information on crimes in progress (e.g., bank robbery) and tactical operations (e.g., roadblocks).  
(M M M M M M)

**81.2.15** A written directive specifies criteria for accepting and delivering emergency messages.

**Commentary:** Delivering emergency messages is a legitimate law enforcement function. However, guidelines should be established to define the types of messages to be accepted and delivered.  
(M M M M M M)

**81.2.16** A written directive requires daily dissemination of stolen vehicle information.

**Commentary:** The directive should ensure that stolen vehicle information is collected from and disseminated to other enforcement agencies and state/federal crime information systems. Such information should be disseminated to all patrol and traffic officers at least once per shift, either at roll call or by radio or telephone.  
(M M M M M M)

### 81.3 Facilities and Equipment

**81.3.1** A written directive specifies security measures for the communications center, to include:

- limiting access
- protecting equipment
- providing for back-up resources

**Commentary:** The capability to maintain communications in all emergency situations dictates that security measures be implemented to protect communications personnel and equipment. Protective measures may include locating the center and equipment in areas providing maximum security, installing bullet-resistant glass in areas of public access, and restricting access to the communications center. Security precautions should also be taken to protect transmission lines, antennas, and power sources.  
(O M M M M M)

**81.3.2** A listing of telephone numbers of emergency service agencies is immediately available to communications personnel.

**Commentary:** Communications personnel often have the need to call other emergency service agencies, such as those pertaining to fire, rescue, ambulance, and animal control. They should have these and other numbers immediately available

by private line, telephone index, book, or other means that will expedite contacting the agencies.  
(M M M M M M)

**81.3.3** The agency has an alternate source of electrical power that is sufficient to ensure continued operation of emergency communication equipment in the event of the failure of the primary power source and that is inspected and tested weekly.

**Commentary:** Disruptions in the primary power source frequently occur. The agency should ensure continuous emergency communications capability through an alternate power source, usually a full-powered generator. The readiness of the alternate equipment should be ensured by scheduled and continued testing.  
(M M M M M M)

**81.3.4** Maps detailing the agency's service area are visually available to communications personnel.

**Commentary:** Communications personnel should be able to spot a caller's location and dispatch field units immediately. A large map of the jurisdiction with beats outlined is essential to such operations. (M M M M M M)

**81.3.5** Officer status indicators are visually available to each communications operator.

**Commentary:** Officer status indicators allow communications operators to know the status of every officer under their control. All officers depend on the communications center to recognize when they may be in danger. By monitoring the officer status system, the operators know where, and how long, each officer has been out on a call. When dispatching calls, the operators also need to know which cars are available for service.  
(O O M M M M)

**81.3.6** The agency's telephone system is designed to separate emergency from nonemergency calls.

**Commentary:** The agency should always have enough trunk lines available so that incoming emergency calls do not receive a "busy" signal. The potential for receiving such a signal can be significantly reduced by routing incoming administrative and outgoing calls to a separate line or lines. (O O O O O O)

**81.3.7** The agency has 24-hour two-way radio capability providing continuous communication between the communications center and officers on duty.

**Commentary:** Immediate communications capability provides a measure of safety and security

to law enforcement officers and the public.  
(M M M M M M)

**81.3.8** *The agency's radio system is engineered to produce a 12-decibel or greater SINAD ratio to the radio receivers in 95 percent of the agency's service area.*

**Commentary:** The SINAD ratio is a measure of the relationship of the radio signal, noise, and distortion. It serves as a basis for estimating whether a receiver will respond to and reproduce a transmitted signal. The 12-decibel level has been established as the desired minimum for satisfactory reception. Because of terrain and other factors, it may not be economically feasible to provide the 12-decibel SINAD signal level to all areas within the jurisdiction. Coverage of 95 percent is generally considered acceptable.  
(M M M M M M)

**81.3.9** *The agency has multichannel mobile and portable radio equipment capable of two-way operation on a joint public safety frequency or frequencies.*

**Commentary:** The agency's frequencies and joint public safety frequencies provide for an uninterrupted flow of information among law enforcement agencies and among law enforcement and public service organizations, such as fire departments, ambulance services, public utilities, etc. This communications capability is necessary to provide proper coordination and deployment of forces in times of such emergencies as riots, fires, and natural disasters. The capability may range from simple car-to-car arrangements to inter-agency and statewide networks.  
(O O O M M M)

## NOTES

# 82

## RECORDS

The central records function is important to the effective delivery of law enforcement services. In this chapter, the standards address those records functions that are basic to meeting the management, operational, and information needs of the agency. The standards are principally concerned with field reporting and central records activities and do not address the records functions attendant to specialized entities within the agency.

While the approach taken in drafting these standards was to allow agencies flexibility, some standards concerning records directly affect the conduct of recordkeeping activities. This was necessary in order to have standards that measure the results of records activities.

### 82.1 Administration

**82.1.1** *A written directive establishes the agency's central records component.*

**Commentary:** The purpose of this standard is to place accountability for the records function in a specialized departmental component. In small and mid-size agencies, this function may be combined with other functions. However, in larger agencies it should be a distinct organizational component. (O O M M M M)

**82.1.2** *A written directive establishes the agency's central records functions, to include:*

- report review
- report control
- records maintenance
- records retrieval

**Commentary:** The review activity should ensure that field reports are completed in compliance with administrative directives and that a record is made for each request for service. Report review may also include coding reports for Uniform Crime Reporting (UCR) purposes. The records function also includes routing reports to specialized entities and ensuring status reports on follow-up. (M M M M M M)

**82.1.3** *A written directive requires the reporting of every incident in one or more of the following categories if the incident is alleged to have occurred in the agency's service area:*

- citizen reports of crimes

- citizen complaints
- citizen requests for services when:
  - an officer is dispatched
  - an employee is assigned to investigate
  - an employee is assigned to take action at a later time
- criminal and noncriminal cases initiated by law enforcement officers
- incidents involving arrests, citations, or summonses

**Commentary:** The purpose of this standard is to encourage a comprehensive reporting system. A record should be made of actions taken by law enforcement personnel whether in response to a request for service or for self-initiated actions. If two or more persons report the same incident, only one case report should be required. A citizen is defined as any person other than an agency employee. (M M M M M M)

**82.1.4** *A written directive requires the reporting carried out as a result of standard 82.1.3. to include the following information:*

- date and time of the initial reporting;
- name (if available) of the citizen requesting the service, or victim's or complainant's name;
- nature of the incident; and
- nature, date, and time of action taken (if any) by law enforcement personnel.

**Commentary:** Although the reporting of most crimes and many noncriminal incidents should

require action by personnel assigned to an operational component, reporting requirements for less serious incidents may be satisfied by having communications personnel record the information required by this standard.

(O O O O O O)

**82.1.5** *A written directive specifies:*

- the forms to be used in field reporting; and
- procedures to be followed in completing field reports.

**Commentary:** This directive may be in the form of a field reporting manual that describes and illustrates the information to be included on report forms.

A suggested set of field reporting forms would include the following: (1) Offense Report, (2) Supplemental Report, (3) Traffic Accident Report, (4) Arrest Report, (5) Property Report, (6) Prosecution Report, and (7) Complaint Control and Miscellaneous Incident Report. The forms may be more specialized than those listed (e.g., crimes against persons, crimes against property). However, those listed represent a fairly complete set. The forms may also be consolidated to serve the purposes identified in the standard. The Complaint Control and Miscellaneous Incident Report can be initiated by dispatchers and may serve as a control document and/or as the full report of a miscellaneous incident.

The agency should adopt a set of forms to standardize field reporting and structure them to ensure that basic information is recorded for all crimes and incidents. (M M M M M M)

**82.1.6** *A written directive establishes a case numbering system, with provisions for the following:*

- assignment of a number to every case; and
- assignment of a different number to each case.

**Commentary:** A single numbering series (case or incident number) should be employed for all incidents of law enforcement service, including traffic accident investigations, criminal investigations, and miscellaneous calls for law enforcement service. Some incidents, such as the issuance of traffic citations, need not be recorded as numbered cases; the citation form itself serves as the report. The numbering system should be designed to ensure that all cases receive a number, that no numbers are omitted, and that no numbers are duplicated. (M M M M M M)

**82.1.7** *A written directive specifies procedures to be followed in supervisory review of field reports.*

**Commentary:** The procedures may vary among agencies. However, supervisory review should be required, and the form should be designed for the signature of the reviewing supervisor. Typically, supervisory review is a function of the first-line supervisor and is intended to ensure that the assignment has been satisfactorily completed and reported. (M M M M M M)

**82.1.8** *A written directive establishes procedures for the distribution of reports and records.*

**Commentary:** The directive should specify which reports should be routed to the various specialized organizational components for follow-up, those to be distributed outside the agency, those to be released to individuals (e.g., accident and theft reports for insurance purposes), and those to be released to media representatives.

(O O O O O O)

**82.1.9** *A written directive establishes a system to account for the status of reports.*

**Commentary:** The system should ensure that the original record is maintained in the records component and that follow-up reports are prepared on a specified schedule (usually 10 days).

(O O O O O O)

**82.1.10** *The agency conducts an annual audit and evaluation of the complaint control recording and field reporting process.*

**Commentary:** Periodic inspections should be conducted of all phases of the recording and reporting process. Also the inspection should include an evaluation of the reporting guide and of the reporting and recording directives to detect discrepancies and/or a need for change.

(O O O O O O)

**82.1.11** *A written directive establishes privacy and security precautions for the central records function.*

**Commentary:** The privacy and security precautions for the central records function should be in accord with agency policy, local ordinance, and/or state statutes. The privacy and security of criminal history record information (CHRI) should be in accord with U.S. Department of Justice regulations (28 Code of Federal Regulations Part 20) with regard to dissemination, completeness and accuracy, audits, security requirements, and access and review. (M M M M M M)

**82.1.12** *The agency has a records retention schedule.*

**Commentary:** The schedule for retaining records should be consistent with legal requirements.

(O O O O O O)

**82.1.13** *A written directive specifies the procedures for development, modification, and approval of all forms used by the agency.*

**Commentary:** The responsibility for the forms development and control process should be vested in an identifiable person or component. The procedures should ensure that the information captured on agency forms is not duplicative; that the review process for new or modified forms includes the components that will use the forms; that forms are reviewed and evaluated on a periodic (annual) basis; that the format is consistent with the records maintenance or data processing requirements of the agency; and that the chief executive officer, or designee, be required to approve forms prior to use. (O O O O O O)

**82.1.14** *A written directive specifies procedures for handling funds by records personnel, to include:*

- *designation of persons permitted to receive money*
- *receipt procedures*
- *accountability*
- *security*
- *audits*

**Commentary:** The procedures should enhance security and accountability of all monies received by the agency. Employees handling money should be bonded. (M M M M M M)

## **82.2 Operations**

**82.2.1** *Central records information is accessible to operations personnel at all times.*

**Commentary:** In large agencies, where records personnel are always available, this is usually accomplished with minimal planning or expense. However, in smaller agencies the accessibility of records during evening and early morning hours becomes problematic. In these instances, specific persons working these hours should be given authority to access central records information. (M M M M M M)

**82.2.2** *The agency maintains a repository of records, to include:*

- *offense reports*
- *on-view arrest reports*
- *traffic accident reports*

**Commentary:** These records may be maintained in a single repository or filed separately by case control number. The reports may be filed sequentially with no separation among the categories listed in the standard. (M M M M M M)

**82.2.3** *The agency maintains an alphabetical master name index.*

**Commentary:** A master name index is a file that includes the names of persons identified in field reports. The index may be manual or automated and should serve as a cross-reference to all documents in which a person has been named. (M M M M M M)

**82.2.4** *A written directive specifies the criteria for inclusion of names in the master name index.*

**Commentary:** The agency should determine the criteria based on legal requirements and needs. Typically, agencies include the names of victims, complainants, suspects, persons arrested, and, in some cases, witnesses. Consideration should also be given to the inclusion of persons injured in traffic accidents. (O O O O O O)

**82.2.5** *The agency maintains an index of incidents by location.*

**Commentary:** The location-of-incidents index facilitates measuring case loads relative to geographic distribution. This may be a manual or automated index. (O O O O O O)

**82.2.6** *The agency maintains an index of incidents by type.*

**Commentary:** The incident-by-type index provides information on experience relative to categories of activity. The agency should identify those activities constituting the prevalent activity for categorization (usually UCR Part I offenses and principal offenses in the Part II category). This index may be manual or automated. (O O O O O O)

**82.2.7** *The agency maintains an index of stolen, found, recovered, and evidentiary property.*

**Commentary:** Common practice is to maintain one property file using index cards filed by the type of property involved and a separate property file using index cards filed by serial number. In departments with access to computerized information, it is normally unnecessary to maintain a numerical file. It is highly desirable to have serial numbers of stolen and recovered property sequenced to facilitate comparison. (O O O O O O)

**82.2.8** *The agency maintains a criminal history file on each person arrested.*

**Commentary:** The criminal history file is often referred to as an identification file and should include the following documents: (1) fingerprint

card, (2) criminal history transcripts (state and federal), (3) photograph (if available), and (4) copy of arrest report. The file may be sequenced by identification number. The criminal history transcripts may be excluded from agency files if they are immediately accessible through state or federal information systems. It is not necessary to have all the documents in one file so long as cross-references point to the location of each document. (M M M M M M)

**82.2.9** *The agency maintains a modus operandi file.*

**Commentary:** The modus operandi file may aid in the identification of known career criminals and in the investigation of certain crimes. (O O O O O O)

**82.2.10** *A written directive establishes procedures for maintaining a warrant and wanted persons file, to include:*

- *establishing criteria for entering notices in regional, state, and federal information systems;*
- *establishing criteria for receiving information from other jurisdictions;*
- *recording the information in agency files;*
- *verifying information; and*
- *cancelling information.*

**Commentary:** These procedures are particularly important when computerized information concerning wanted persons on a regional, state, or federal network is used. The procedure should include the mechanics of initiating a case report, assigning the case, and filing warrants in a way that ensures immediate accessibility. Warrants and the master name index should be cross-referenced. (M M M M M M)

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

- *issuing citation forms to officers*
- *accounting for citations*
- *storing citations*
- *cross-referencing*

**Commentary:** Issuing and accounting for traffic citations should be rigidly controlled. Copies of citations issued by officers should be filed in agency records and the names of recipients included in the master name index. (M M M M M M)

**82.2.12** *A written directive establishes criteria for recording arrest information, to include:*

- *preparing reports*
- *fingerprinting*
- *photographing*

**Commentary:** The written directive should specify those offenses for which fingerprints and photographs are required. Additionally, the directive should provide guidance in keeping existing file information current for persons subsequently arrested (e.g., address, photograph). (M M M M M M)

**82.2.13** *The agency has a system for assigning an identification number for each person custodially arrested.*

**Commentary:** An identification number is a person-oriented number and is assigned to a specific person. Once a person has been assigned an identification number, all subsequent arrests and information concerning that person should be referenced to his or her identification number. Each person who has been arrested will have only one identification number, although the individual may have been arrested on a number of different occasions and thus have different case and arrest numbers relating to them. The system should include a procedure ensuring that identification numbers are not duplicated or skipped. (M M M M M M)

**82.2.14** *A written directive specifies those records to be maintained in agency operational components.*

**Commentary:** The directive should specify the types of records and the retention schedule for records maintained in operational units. For example, criminal investigators should maintain case files on active cases being investigated, to be transferred to the records center when inactivated. Similarly, intelligence and vice units may be permitted to maintain records under additional security. (M M M M M M)

**82.2.15** *The agency maintains records on juveniles separate from records on adults.*

**Commentary:** This standard applies only to criminal history records. The separation of records on juveniles from records on adults may be required by law. However, the degree of separation may vary in that separate file storage cabinets and/or separate name indexes for records are sufficient in some agencies, while separation must be more pronounced in others. In agencies that maintain automated criminal history records, the separation may be accomplished by the computer. (M M M M M M)

**82.2.16** *A written directive establishes procedures for collecting and submitting crime data to the national Uniform Crime Reporting program.*

**Commentary:** Participation in the national UCR program helps promote the development of good recordkeeping and aids in the effort to establish a national data base of crime statistics. The standard will be satisfied if the agency reports data to a state system for subsequent inclusion in the national system. (O O O O O O)

**82.2.17** *A written directive requires maintaining records on the disposition of all cases presented for prosecution.*

**Commentary:** Although law enforcement agencies are generally well informed about arrest rates, they often are ill informed regarding the number of, and reasons for, cases being declined for prosecution or dismissed by the prosecutor. By knowing the number of cases declined or dismissed and the underlying rationale for the prosecutorial action taken, law enforcement personnel can identify and correct departmental problems as well as those caused by other agencies (e.g., the prosecutor's office). (O O O O O O)

## NOTES

## COLLECTION AND PRESERVATION OF EVIDENCE

During development of the accreditation standards, the *Report on Police* of the National Advisory Commission on Criminal Justice Standards and Goals (1973) was used as a point of departure to identify functional areas to be addressed in preparing standards. Thus, one of the topical areas, "Crime Laboratory," became one of the functional activities to be addressed in the standards.

Four basic kinds of crime laboratories, sometimes called forensic laboratories, are used in criminal investigation:

- The "full-service" crime laboratory, which examines physical evidence of various types, including firearms and ammunition, toolmarks, body fluids, chemical substances, glass, hairs and fibers, paint, soil, arson accelerants, and questioned documents. Those laboratories that conduct examinations of fewer kinds of materials and substances are often termed "limited-service" laboratories.
- The identification laboratory, which is concerned almost exclusively with the examination of latent fingerprints, shoe and tire prints, and matches of fractured items.
- The pathological or toxicological laboratory, which examines tissues and blood and other body fluids from living or dead persons to aid in determining the cause of death of a living thing or to assist in prosecuting persons in alcohol- or drug-related cases.
- The photographic laboratory, which develops exposed negatives and produces photographic prints. Some laboratories may also send photographers to crime scenes and do other specialized photography, such as aerial photography or photomicrography (photography through a microscope).

There are from 250 to 300 crime/forensic laboratories in the United States at all levels of government. Thus, it follows that very few law enforcement agencies have such facilities within their own organizations and must turn to others for service. Many states have full-service crime laboratories and some also maintain smaller, regional laboratories. Laboratories of the Federal Bureau of Investigation, Drug Enforcement Administration, U.S. Postal Service, Bureau of Alcohol, Tobacco and Firearms, Customs Service, Fish and Wildlife Service, The Armed Forces Institute of Pathology, and other federal agencies are additional resources available to law enforcement agencies under certain circumstances. Scientific laboratories in universities and elsewhere in the public and private sectors are also used by law enforcement agencies.

The effective exercise of the law enforcement responsibility of an agency in the investigation of crime and in the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods. There is no practical alternative. Research has shown clearly that physical evidence must be identified, collected and preserved properly, and transmitted to the laboratory promptly if laboratory support resources are to be used effectively. The standards in this chapter, then, address the functions of the law enforcement agency as a "consumer" of laboratory services rather than as the provider of such services.

The American Society of Crime Laboratory Directors (ASCLD) has developed standards for the administration and operation of crime/forensic laboratories—from the provider's perspective. Their standards are the basis of a crime laboratory accreditation program operated by the ASCLD/Laboratory Accreditation Board (ASCLD/LAB). The

ASCLD/LAB accredits laboratories in the following areas of service: controlled substances, toxicology, trace evidence, serology, firearms/toolmarks identification, latent prints, and questioned documents.

Agencies with crime/forensic laboratories are encouraged to contact ASCLD/LAB for information about their laboratory accreditation activities and requirements. Write or call the Commission for ASCLD/LAB contact information.

### 83.1 Processing Evidence at the Scene

**83.1.1** *A written directive governs responsibilities of the person or persons who secure, protect, and process the scene of an incident.*

**Commentary:** A patrol officer, investigator, or others may have primary responsibility for processing the scene. The written directive should identify the role of the person or persons responsible and define the specific functions. For example, these functions should include securing and protecting the scene; documenting all entries of persons into the scene; photographing, diagramming, and sketching the scene; and protecting, collecting, and preserving evidence.  
(M M M M M M)

**83.1.2** *A written directive governs procedures used for processing physical evidence in the field.*

**Commentary:** Methods used are those that will preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible and practical. Some kinds of physical evidence, such as liquid blood samples, must be placed in proper containers and delivered promptly to the laboratory or placed in the agency's refrigerator. Clothing that is wet or bloody should be air dried and packaged in paper bags. Physiological fluids should be frozen. Other items possibly supporting latent fingerprints must be protected from any movement or action that might destroy or contaminate the prints.  
(M M M M M M)

**83.1.3** *Vehicles used by persons responsible for processing scenes have, at least, equipment to be used for the following purpose:*

- *recovery of latent fingerprints*
- *photography*
- *sketch of the scene*
- *collection and preservation of physical evidence*

**Commentary:** In larger communities where crime scene specialists are required to go from one crime scene to another without the opportunity to return to a central point to replenish equipment and supplies, a specially built and equipped vehicle

should be used (e.g., one having a portable power generator, ladder, and lights). It is important in smaller agencies that vehicles used by those who process the scene are equipped with necessary equipment to allow effective and timely processing of the scene. (N/A O O M M M)

**83.1.4** *A written directive requires that when photographs are not taken or where physical evidence is not recovered from the scene of a serious crime against person or property, the investigator assigned prepares a report giving the reasons why.*

**Commentary:** The offenses indicated in this standard are those that will produce physical evidence of value in the highest percentage of such cases as homicides, rapes, arson, robbery, and major assault. Yet, research shows that such evidence is collected in only a small percentage of cases. The most effective use of laboratory resources can be realized only if the physical evidence is collected initially and preserved properly. The reporting requirement can be incorporated as part of the initial crime scene report.  
(M M M M M M)

**83.1.5** *A written directive governs timing and conditions for submitting evidence to a forensic laboratory.*

**Commentary:** The written directive should specify procedures for submission of perishable evidence to the forensic laboratory, such as fresh blood, blood-stained objects, other physiological stains and tissue, and biological materials. It should also govern the manner in which evidence is handled when the laboratory will not accept evidence without items from a known source for comparison purposes. In such instances, evidence collected from the scene may be held in the agency property storage area pending collection of comparison items. The written directive should also provide instructions for the preparation of a record when submission of evidence to the laboratory has been delayed for any reason.  
(M M M M M M)

**83.1.6** *A written directive requires that materials and substances be collected from a known source, whenever available, for submission to the laboratory for comparison with physical evidence collected.*

**Commentary:** A significant degree of the value of laboratory examinations concerns the identification of substances and comparison of these with materials from known sources. This is true especially in the case of the study of hairs, fibers, fabrics, paint, glass, wood, soil, and toolmarks. The location from which samples from a known source are taken is critical where fractures have occurred, such as in the case of glass, wood, paint, and metal. (M M M M M M)

**83.1.7** *A written directive governs the elements to be included in a sketch made pursuant to the collection and preservation of evidence.*

**Commentary:** Some basic elements that should be included in a sketch include (1) dimensions; (2) relation of the crime scene to other buildings, geographical features, or roads; (3) address, floor, or room number, as appropriate; (4) location of significant features of the scene, including the victim; (5) date and time of preparation; (6) names of the persons preparing the sketch; (7) direction of north; and (8) location of items of physical evidence recovered. Customarily, the processor of the scene will make rough sketches and measurements, including sufficient additional information so that a final drawing, to scale, can be made at a later time. (M M M M M M)

**83.1.8** *A written directive governs procedures used for photography pursuant to the collection and preservation of evidence.*

**Commentary:** All aspects of the scene should be photographed by a trained photographer. The directive should specify when a scale is to be used in the field of view when objects are photographed, so that their exact size can be determined. Where the courts demand that nothing be introduced into the field of view, a separate photograph can be taken, using the same camera position, lighting, and camera settings. Alternatively, the dimensions of a fixed object in the scene could be taken to provide a scale of reference. (M M M M M M)

**83.1.9** *A written directive fixes the responsibility for requesting laboratory examinations.*

**Commentary:** When a number of personnel may be involved in the investigation of a scene, a false assumption may be made that someone else has taken the action to get physical evidence to the

laboratory for examination and, as a result, it is not delivered. The person identified as responsible for requesting laboratory examinations may, depending upon circumstances, be the person assigned as the investigator, the chief of investigations, the patrol officer who collects and preserves the evidence, or the crime scene specialist. (M M M M M M)

**83.1.10** *A written directive governs procedures for processing recovered stolen vehicles.*

**Commentary:** The directive should ensure that the reporting agency, owner, and other appropriate persons receive prompt notification of the recovery; that the vehicle and its contents be processed for items of evidentiary value; that the chain of evidence is maintained; that conditions for release are specified; and that accurate records are maintained. (M M M M M M)

## **83.2 At-scene Evidence Records**

**83.2.1** *A written directive governs the scaling, marking, or labeling of physical evidence.*

**Commentary:** For physical evidence to be accepted by the court at time of trial, it is essential that the chain of evidence be maintained. The initial step in this process is marking or labeling the item at the time it is collected, seized, or received. Items that can be marked should be packaged or placed in an appropriate container and sealed. Items that cannot be marked should be placed in an appropriate container and sealed. Markings or labels should then be placed on the seal and on the package or container. (M M M M M M)

**83.2.2** *For all items of evidence, a list is prepared containing the following information:*

- *description of the item (including make, model number, and serial number, if any);*
- *source (from whom or location which obtained); and*
- *name of person collecting the item or items.*

**Commentary:** An inventory of the items recovered during an investigation is essential for the investigator and the laboratory examiner; an inventory is invaluable at the time of the trial. (M M M M M M)

**83.2.3** *A written directive governs the preparation of a report by the person who processes a crime or accident scene.*

**Commentary:** An accurate record of events that transpire at the scene, in connection with the

investigation, is required at the time of trial. The directive should specify the elements to be included in the report, such as (1) date and time of arrival at the scene; (2) location of the crime; (3) name of the victims, if known; (4) name of suspect, if known; (5) action taken at the scene, including the number of photographs taken, measurements taken (yes or no), and a listing of physical evidence recovered; and (6) case file reference number.

Other information that should be included when a crime scene specialist is involved is the date and time a request for service was received, the name of the investigating officer, the disposition of the physical evidence and of the exposed negatives, and crime scene measurement information. (M M M M M M)

**83.2.4** *A written directive specifies the information to be recorded at the time evidentiary photographs or videographs are taken.*

**Commentary:** The date, time, location, and case number should be recorded. Videographs may supplement but should not replace still photography. (M M M M M M)

**83.2.5** *A written directive requires a record be made each time transfer of custody of physical evidence takes place.*

**Commentary:** The record of transfer of physical evidence should include the following: (1) date and time of transfer; (2) receiving person's name and functional responsibility; (3) reason for the transfer; and (4) name and location of the laboratory, synopsis of the event, and examinations desired, when transferred to a laboratory not within the agency. (M M M M M M)

**83.2.6** *A written directive requires the record of physical evidence submitted to a laboratory for examination to include prior custody information as follows:*

- *name of the officer last having custody of the item;*
- *date and time of submission or mailing and method used for transmission;*
- *date and time of receipt in the laboratory; and*
- *name and signature of the person in the laboratory receiving the evidence.*

**Commentary:** The record serves to meet the requirements for maintaining the chain of evidence. The name of the officer in charge of the investigation and the name of the person to whom the laboratory report should be sent would be additional useful information for the laboratory. (M M M M M M)

**83.2.7** *A written directive stipulates that the agency requests written results of laboratory analysis.*

**Commentary:** When verbal reports are provided by the laboratory, they should always be followed by a written report. When a laboratory is a part of the agency, a written directive should specify that written reports of findings are provided by the laboratory. When a laboratory is not a part of the agency, a transmittal letter or written request as a part of the evidence transmittal form should be used to request a written report of laboratory findings. (M M M M M M)

### 83.3 Training

**83.3.1** *Training in crime and accident scene processing is provided as part of the agency's basic curriculum for recruits.*

**Commentary:** While patrol officers of an agency may or may not have the responsibility for processing crime scenes, it is expected they will be the first officer at the scene. In any event, patrol officers have a key function to perform and should receive, at a minimum, familiarization training in the following subjects: (1) potentialities and limitations of the examination of physical evidence; (2) written directives concerning the role and function of the investigator, the patrol officer, and the crime scene specialists (if applicable); (3) collection methods and procedures regarding fingerprints, footprints, blood, fibers and fabrics, weapons, hairs, paint, glass, toolmarks, and the requirements for collection of materials from a known source for comparison purposes; (4) preservation methods for various forms of evidence; (5) maintenance of the chain of evidence, marking, custody, and records; (6) the crime or accident scene sketch; (7) crime or accident scene photography; and (8) crime or accident scene records. (M M M M M M)

**83.3.2** *Specialized training is provided to all persons responsible for crime scene processing to develop the following skills:*

- *recovery of latent fingerprints and palm prints;*
- *recovery of foot, tool, and tire impressions;*
- *photographing crime or accident scenes;*
- *preparing crime or accident scene sketches; and*
- *collecting, preserving, and transmitting physical evidence, including biological materials.*

**Commentary:** The training should be sufficient to ensure development of specific skills that are

needed to perform these tasks.  
(M M M M M M)

**83.3.3** *The agency provides refresher training for investigative personnel in crime scene processing as a component of the in-service training program.*

**Commentary:** This training should be designed to update the knowledge of agency personnel involved in the investigative process concerning laboratory capabilities and new equipment and examination techniques.  
(M M M M M M)

## 83.4 Organization and Administration

**83.4.1** *A crime scene/accident processor is available on a 24-hour basis.*

**Commentary:** Response to calls for service where a crime has been committed that may involve physical evidence requires that such evidence be collected promptly and submitted to the laboratory without delay. Smaller departments may have skilled personnel on call or arrange to acquire such personnel from another agency.  
(M M M M M M)

**83.4.2** *A written directive requires that when the immediate services of a crime scene specialist are required, the laboratory or scene specialist should be notified within one hour. Instructions shall be provided on how to proceed until the specialist arrives.*

**Commentary:** In many cases the implementation or continuation of the investigative process must await the completion of certain aspects of the work of the crime scene specialist. Therefore, it is important that the specialist arrive at the scene as soon as possible.  
(O O O O O O)

**83.4.3** *A written directive governs the functional relationships between the crime scene specialist and others involved in the investigative process.*

**Commentary:** The written directive should include a delineation of the role and relationships among the crime scene specialist, the patrol officer, the investigator, and laboratory personnel. The procedure for requesting the services of a crime scene specialist should be identified, and those having supervisory responsibilities for the crime scene specialist should be identified.  
(M M M M M M)

**83.4.4** *A written directive requires that the commanding officer of investigations and the director*

*of the agency laboratory, or their designees, take the initiative and attempt to meet at least every six months with the prosecutor and judges of the courts for coordination purposes.*

**Commentary:** Coordination is essential to ensure that the prosecutor and the judges of the court are apprised of latest information concerning the abilities of the investigators and the laboratory in developing information for prosecution. Further, it is needed so that the law enforcement and laboratory representative can benefit from knowledge of the investigative and procedural concerns of the prosecutor and the courts.  
(N/A N/A N/A M M M)

## Glossary

TOPICAL AREA: COLLECTION AND PRESERVATION OF EVIDENCE

ASCLD: American Society of Crime Laboratory Directors

ASCLD/LAB: American Society of Crime Laboratory Directors/Laboratory Accreditation Board—the accrediting arm of ASCLD.

CRIME/FORENSIC LABORATORY: A crime laboratory is defined as a laboratory that employs one or more full-time criminalists whose principal function is the examination of physical evidence for law enforcement agencies in criminal matters and who provide testimony with respect to such physical evidence to the criminal justice system.

CHAIN OF EVIDENCE: The continuity of custody of material and items collected as physical evidence, whether at the crime scene or not. The connotation, under the law, is that the item or material introduced subsequently into the court at the time of trial must be proven to be the same as that obtained initially by the crime scene specialist, the investigator, or some other person and delivered to the laboratory for examination.

CRIME SCENE: The location where the crime occurred or where the indication of the crime exists.

CRIME SCENE PROCESSING: The specific actions taken at a crime or accident scene, consisting of the taking of photographs, preparing the crime or accident scene sketch, and the collecting and preserving of physical evidence.

CRIME SCENE PROCESSOR: The person or persons charged with the responsibility for processing the crime scene, but whose primary duties are different, such as a patrol officer or investigator.

CRIME SCENE SKETCH: A drawing, usually a planar projection, of the crime scene, to scale and showing all of the significant aspects of the crime scene.

CRIME SCENE SPECIALIST: A person who processes the crime scene, who may have a higher level of training than the crime scene processor and whose primary duty is crime scene processing. Larger departments

will assign such persons for this purpose and provide specially equipped vehicles for their use.

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

**VIDEOGRAPHS:** Images of persons or objects recorded on a videocassette, videodisc, or other recording medium, by means of a videocamera, for playing back, as on a television set.

# 84

## PROPERTY MANAGEMENT

Law enforcement agencies generally have in their keeping three types of property: (1) that which is owned or used by the agency; (2) that which is in the custody of the agency; and (3) that which is acquired by the agency as found, recovered, or evidentiary property.

A well-structured system for managing property owned or used by the agency involves two phases: (1) the initial identifying, labeling, and recording of existing capital assets and (2) the maintenance of the system as assets are added, transferred, replaced, or destroyed. The system should identify each item of agency property, its cost and date of acquisition, its location, its condition, usage data, relevant maintenance and repair data, and the person responsible for the item.

The property management system should also provide for the management and control of found, recovered, and evidentiary property and property in the custody of the agency. This is critically important in investigative areas and in the proper administration of agency resources.

It is readily apparent that a law enforcement agency's property management system must develop and maintain strict measures with respect to the handling, security, and disposition of property.

### 84.1 Acquired and In-custody Property

**84.1.1** *A written directive regulates control of property held by the agency.*

**Commentary:** Written directives outlining the functioning of the property management system are necessary to ensure continuity and consistency of operation. The establishment and maintenance of correct evidence-handling procedures are most important to the successful prosecution of a case in court. Law enforcement agencies should establish procedures for the prompt photographing and return of property to victims, with the prosecutor's approval.

(M M M M M M)

**84.1.2** *A written directive designates one person as responsible for each property management activity.*

**Commentary:** Only when property accountability is vested in one person for each property management activity can centralized control of property be realized for agency property, property in custody, and for found, recovered, and evidentiary property. (M M M M M M)

**84.1.3** *A written directive designates the property custodian as accountable for control of all property*

*accepted by or stored in the agency's property storage area or areas.*

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

**84.1.4** *All property stored by the agency is within a designated secure area.*

**Commentary:** Administrative and physical security procedures are mandatory to ensure that all property stored by the agency is properly controlled. (M M M M M M)

**84.1.5** *At least once each month, the person having supervision of the property custodian conducts an inspection of adherence to procedures used for the control of property.*

**Commentary:** The inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.

(M M M M M M)

**84.1.6** *Whenever a new property custodian is designated, an inventory of property, to ensure that records are correct and properly annotated, is conducted jointly by the newly designated property custodian and the outgoing property custodian.*

**Commentary:** The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property. The inventory should be sufficient to ensure the integrity of the system and the accountability of the property. During the joint inventory, a sufficient number of property records should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.  
(M M M M M M)

**84.1.7** *An annual inventory of property held by the agency is conducted by a supervisor not routinely or directly connected with control of property.*

**Commentary:** The purpose of the standard is to ensure the integrity of the system, not to require an accounting for every item of property. The person named to conduct the inventory should be appointed by the agency's chief executive officer. Under no circumstances should the inspector be appointed by supervisory or command officers having the property function under their control.  
(O M M M M M)

**84.1.8** *Unannounced inspections of property storage areas are conducted semiannually as directed by the agency's chief executive officer.*

**Commentary:** Property accountability and security procedures should receive primary attention during spot inspections. A random comparison of records with physical property should consume most of the time allotted to the conduct of spot inspections. The same operations and procedures performed in the property storage areas need not be examined each time a spot inspection is conducted; rather, a variety of activities should receive attention during successive spot inspections. These inspections are in addition to and in support of other regularly scheduled inspections.  
(M M M M M M)

**84.1.9** *A written directive requires that only authorized personnel have access to areas used by the agency for storage of property.*

**Commentary:** Entry to property areas should be controlled to prevent the alteration, unautho-

riized removal, theft, or other compromise of property stored by the agency.  
(M M M M M M)

**84.1.10** *Items of property requiring added protection, to include money, precious metals, jewelry, gemstones, weapons, narcotics, and dangerous drugs, are stored in separate, locked, secure areas located within the agency's property storage area or areas.*

**Commentary:** Extra security measures should be taken when, from whatever source, items considered to be sensitive, high in value, or otherwise constituting an increased security risk are booked into the property room. (M M M M M M)

**84.1.11** *A written directive requires agencies to use the following systems relating to the acceptance and release of narcotics and dangerous drugs from their custody:*

- a quality control system
- a quantity control system
- a narcotic and dangerous drug container inspection system

**Commentary:** Narcotic and dangerous drug evidence (capsules, pills) should be counted as well as weighed. Counting should be performed in addition to, not in lieu of, weighing. The loss of minute or small amounts of an encapsulated powdery substance may escape detection if the capsules are counted only. Exceptions to weighing the substance are permissible when the substance is officially sealed in tamper-proof protective packaging.

Additionally, all containers of narcotics and dangerous drugs should be inspected for tampering as a safeguard against the substitution of materials having the same weight.  
(M M M M M M)

**84.1.12** *Secure refrigerated storage is available for perishable items.*

**Commentary:** Perishable items of evidence, such as blood samples and urine specimens, should be preserved by refrigeration so that their properties will be as unchanged as possible before they are examined in a laboratory or presented in court.  
(M M M M M M)

**84.1.13** *Secure facilities are provided for storage of found, recovered, or evidentiary property during periods when the property room is closed.*

**Commentary:** Provisions should be made for securing items of property when the property room is closed to prevent their removal by unautho-

rized persons. Several methods can be followed to achieve this objective, among them are the installation and use of drop-boxes, lockers, and specially designed containers.

(M M M M M M)

**84.1.14** *Final disposition of found, recovered, and evidentiary property is accomplished within six months after legal requirements have been satisfied.*

**Commentary:** Prompt, authorized property removal (final disposition/destruction) prevents an overload on the property management system and reduces the requirement for additional storage space. Also, the lack of prompt disposition procedures further deprives owners of the use of their property. Law enforcement agencies should establish procedures for the prompt photographing and return of property to victims, with the prosecutor's approval. (O O O O O O)

**84.1.15** *Records reflect the status of all property held by the agency.*

**Commentary:** Fundamental to the operation of the property room is a records system that reflects the location of the property; date and time when the property was received or released; character, type, and amount of property on hand; chain of custody from the time the property was stored until its destruction or other final disposition; and date and results of all inspections and inventories of property and audits of records.

(M M M M M M)

## **84.2 Agency-owned Property**

**84.2.1** *A written directive designates that procurement or requisitioning of agency-owned property is centralized.*

**Commentary:** The scope of this standard is inclusive of expendable items, installed property,

uninstalled property, equipment, vehicles, munitions, and personal-wear items owned or assigned to the agency. (O O O M M M)

**84.2.2** *Distribution and issuance of agency-owned property to authorized users is a responsibility of the property management function.*

**Commentary:** The scope of this standard is inclusive of expendable items, installed property, uninstalled property, equipment, vehicles, munitions, and personal-wear items owned or assigned to the agency. (O O O M M M)

**84.2.3** *Accountability for agency-owned property is a responsibility of the property management function.*

**Commentary:** The scope of this standard is inclusive of expendable items, installed property, uninstalled property, equipment, vehicles, munitions, and personal-wear items owned or assigned to the agency. (M M M M M M)

**84.2.4** *A written directive designates that maintaining stored items of agency property in a state of operational readiness is a responsibility of the property management function.*

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

(O M M M M M)

## NOTES

## APPENDIX A

### COMMISSION MEMBERS\* WHO PARTICIPATED IN THE REVIEW AND APPROVAL OF THE FIRST EDITION OF THE STANDARDS MANUAL

Rosemary Ahmann  
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\*Positions noted for members were as of the time of their appointment.

## **APPENDIX B**

# **NOTES ON THE SECOND EDITION OF THE STANDARDS MANUAL**

The need to amend standards at fairly regular intervals was not foreseen when the first edition of the Standards Manual was published in August 1983. Thus, a bound format was adopted; however, the Commission has always offered a loose-leaf version of the Manual to facilitate an agency's distribution of chapters to the various functional components within a law enforcement agency.

In 1986, the Commission approved amendments to 10 standards and a complete revision of Chapter 72 (Holding Facility). In April 1987, the Commission approved a series of amendments to Chapter 83 (Collection and Preservation of Evidence) and to Chapters 11, 16, and 21. (A record of the changes is provided in the last section of this appendix.)

The Commission anticipates that there will be a need to amend the standards at regular intervals: (1) as new standards are added; (2) as chapters or individual standards are amended; and (3) as interpretations of standards are issued.

Since agencies first entered into the accreditation process in late 1983, the Commission has been presented with requests for interpretations. The bulk of the requests concern how standards should be applied to individual agencies (many of which have a unique problem or set of circumstances to consider), to classes of agencies (e.g., state police departments), or to all agencies. Customarily, draft interpretations are presented by Commission staff to the Commission's Standards Amendment and Interpretation Committee for consideration; as required, recommendations are presented to the full Commission for its consideration.

Since early 1984, the Commission has approved a series of interpretations that have been building into a body of "case law." Inasmuch as many interpretations were specific to only one agency, they were not promulgated to agencies in the process of accreditation. Other interpretations, however, needed to be added to chapter introductions and standard commentaries. Over a period of years, the problem grew: how to incorporate Commission-approved interpretations into the Standards Manual.

Amendments were less of a problem. During 1986, three standards "change notices" were issued to the 600 agencies that had applied for accreditation, including those in self-assessment (numbering about 250) and those which had been accredited (now numbering 47). It was not possible, however, to send change notices to the thousands of persons and agencies not in process who had ordered copies of the Standards Manual.

Finally, in 1986, the Commission decided to publish its next Standards Manual in a loose-leaf format and to offer a standards update service at a modest price. (A notebook to facilitate storage of the loose-leaf version and its updates is also being offered for sale.)

### **OBJECTIVES OF THE SECOND EDITION**

As Commission staff set about development of the second edition, it did so with several important objectives uppermost:

—Incorporate all Commission-approved amendments into standard statements, commentaries, and levels of compliance, as appropriate.

—Incorporate Commission-approved interpretations into chapter introductions and commentaries, if the interpretations apply to certain classes of agencies or to all agencies.

—Undertake an editorial review of the text, within stringent limits regarding changes to standard statements; improve language usage and promote language consistency among the 48 chapters.

—Prepare a more definitive index than prepared for the first edition (August 1983).

—Establish a standards distribution and update service so that persons and agencies who purchase the service will receive their updates as soon as possible.

## CHRONOLOGY

Work on revising the Manual was begun in the fall of 1986. Initial efforts were devoted to incorporating amendments into the text and revising introductions, commentaries, and glossary items in accord with Commission-approved interpretations. Commission staff efforts were augmented by those of a professional editor, who made a total review of the 48 chapters—within the strict limits noted above. At the same time, Commission staff revised Chapter 72—Holding Facility—(as conditionally approved by the Commission in June 1986) on the basis of agency comments. As noted above, the revised chapter was adopted in November and corrected copies were sent to all agencies in the accreditation process and beyond.

It was also during this time that suggested amendments to Chapter 83 (Collection and Preservation of Evidence) were received from the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). These were presented to the Commission in November, at which time they were conditionally approved. Early in the new year (1987), agency comments were solicited and reported to the Commission in April.

In early March, Commission staff presented their recommended editorial changes to a subcommittee of the Commission: Professor Egon Bittner (Brandeis University) and Richard J. Elrod (then, Sheriff of Cook County, Illinois).

While processing the Chapter 83 revisions, staff continued to incorporate Commission-approved interpretations into the text. In late March, it was decided to delay reprinting the Standards Manual until Chapter 83 had been approved. This decision led to a decision to "do something about Chapter 21 (Classification and Assignment)." In late 1986, Chapter 21 was determined to be a problem because of the confusion over terms—their definitions, combinations, and mixed usages.

Commission staff sought expert assistance from a nearby county's personnel department and from a private nonprofit firm that specializes in public personnel consulting. Their advice and counsel was incorporated into revised definitions of the terms "class," "job," and "position," and the term "assignment" as well as many of the combinations and mixed terms previously used were eliminated.

At the same time, Commission staff shifted several standards among three chapters (11, 16, and 21): (1) Standards 11.4.1 and 11.4.2 to Chapter 21 as 21.3.1 and 21.3.2; (2) Standard 11.4.3 renumbered as 11.1.4; (3) Standards 16.3.1 and 16.3.2 renumbered as 16.6.1 and 16.6.2; and (4) Standards 21.3.1, 21.3.2, and 21.3.3 to Chapter 16 as 16.3.1, 16.3.2, and 16.3.3. These changes were approved by the Commission on April 25, 1987, along with the amendments to Chapter 83.

All of the foregoing changes have been incorporated into this second edition of the Standards Manual. A chapter-by-chapter exposition of all Commission-approved amendments follows.

## RECORD OF STANDARDS AMENDMENTS

Persons interested in the revision of standards approved by the Commission since publication of the first edition (August 1983) will find the following record of changes of interest. The dates in parentheses (e.g., 4/25/87) are the dates that the change was approved by the Commission.

### —Chapter 11 (Organization)

—Standard 11.4.3 was renumbered as 11.1.4—without revision. (4/25/87)

—Standards 11.4.1 and 11.4.2 were relocated to Chapter 21 as 21.3.1 and 21.3.2. The standard statements and commentaries were amended. (4/25/87)

### —Chapter 16 (Allocation and Distribution of Personnel and Personnel Alternatives)

—Standards 16.4.1, 16.4.4, and 16.5.1: The standard statements and commentaries for the three standards were amended. (6/15/86)

—Glossary: The definition of "reserve" was amended. (6/15/86)

—Introduction: The Introduction was amended to reflect the changes enumerated below. (4/25/87)

—Standards 16.3.1 and 16.3.2 were renumbered as 16.6.1 and 16.6.2—without revision. (4/25/87)

—Standards 21.3.1, 21.3.2, and 21.3.3 were renumbered as 16.3.1, 16.3.2, and 16.3.3—with one minor editorial amendment. (4/25/87)

- Glossary: The definition of “specialized assignment” was transferred from Chapter 21 to Chapter 16. (4/25/87)
- Chapter 21* (Classification and Delineation of Duties and Responsibilities)
  - The title was amended to: “Classification and Delineation of Duties and Responsibilities.” (4/25/87)
  - Standards 11.4.1 and 11.4.2 were relocated to Chapter 21 as 21.3.1 and 21.3.2. The standard statements and commentaries were amended. (4/25/87)
  - In subchapter 21.1, the term “job analysis” was amended to “job task analysis” in standards 21.1.1, 21.1.2, and 21.1.3. The term was similarly amended elsewhere in the Standards Manual. (4/25/87)
  - Standard 21.1.1: The standard statement was amended by the addition of a “bulleted item.” (4/25/87)
  - Glossary: The terms “class,” “job,” and “position” were amended and the amended definitions were applied to standards 21.2.1, 21.2.2, and 21.2.3. (4/25/87)
- Chapter 31* (Recruitment)
  - Standard 31.7.1: The standard statement was amended. (3/9/86)
- Chapter 32* (Selection)
  - Standard 32.4.1: The standard statement and the commentary were revised. (6/15/86)
- Chapter 41* (Patrol)
  - Standard 41.1.12: The commentary and levels of compliance were amended. (3/9/86)
  - Standard 41.2.11: The standard statement was amended. (6/15/86)
- Chapter 43* (Organized Crime and Vice Control)
  - Standard 43.2.16: The standard statement was amended. (6/15/86)
- Chapter 71* (Prisoner Transportation)
  - Standard 71.3.2: The standard statement and the commentary were amended. (3/9/86)
- Chapter 72* (Holding Facility)
  - This chapter was subjected to a near-total revision. Many standards were amended; almost all standards were renumbered. (11/9/86)
- Chapter 83* (Collection and Preservation of Evidence)
  - Standard 83.4.4: The standard statement was amended. (3/9/86)
  - Introduction: The Introduction was revised to reflect comments from the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). (4/25/87)
  - Standards 83.1.1, 83.2.1, and 83.2.4: Standard statements and commentaries of the three standards were amended. (4/25/87)
  - Standards 83.1.2, 83.3.1, and 83.4.2: Statements of the three standards were amended. (4/25/87)
  - Glossary: Amended to add the word “videographs.” (4/25/87)

## ACKNOWLEDGMENTS

Commissioners: Special thanks are extended to Commissioner Richard J. Elrod, who served as Chair of the Standards Amendment and Interpretations Committee from 1984 through 1986, and members of his Committee: Commissioners Derrell R. Carnes, John F. Duffy, William E. Dye, Ira Harris, Robert W. Landon, Michael D. Muth, Jack Pearson, and Charles C. Plummer. Members appointed in 1987 include Commissioner Steven R. Harris, Chair, and Commissioners Egon Bittner, Joan Hensler, and Charles D. Reynolds, plus holdover Commissioners: Dye, Muth, and Plummer.

Staff: Special thanks to Executive Director Kenneth H. Medeiros and Richard F. Kitterman, Director of Field Operations, for their assistance with incorporating interpretations into the standards and their assistance with revisions to Chapters 11, 16, 21, 72, and 83. Staff assignments were as follows:

- Frank J. Leahy, Jr., Managing Editor
- Martha S. Mahieu, Assistant Editor
- Linda L. Phillips, Data and Word Processor

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# Accredited Agencies

As of July 1989

## ALABAMA

Birmingham Police Department

## ARIZONA

Phoenix Police Department  
Tempe Police Department

## CALIFORNIA

Garden Grove Police Department  
Hayward Police Department  
San Diego County Sheriff's Department

## COLORADO

Arapahoe County Sheriff's Department  
Arvada Police Department  
Aurora Police Department  
Greeley Police Department  
Lakewood Police Department  
Northglenn Police Department

## CONNECTICUT

Connecticut State Police  
Glastonbury Police Department

## DELAWARE

Delaware State Police  
New Castle County Department of Public  
Safety, Division of Police

## FLORIDA

Boca Raton Police Department  
Broward County Sheriff's Office  
Cocoa Beach Police Department  
Coral Springs Police Department  
Hillsborough County Sheriff's Office  
Largo Police Department  
Marion County Sheriff's Department  
Monroe County Sheriff's Office  
Mt. Dora Police Department  
Naples Police Department  
Ocala Police Department  
Palm Beach County Sheriff's Office  
Palm Beach Police Department  
Pinellas County Sheriff's Office  
Pinellas Park Police Department  
St. Petersburg Police Department  
Tallahassee Police Department  
Tampa Police Department

## GEORGIA

Clarke County Police Department  
Covington Police Department  
Fulton County Police Department  
Macon Police Department  
Rome City Police Department  
Savannah Police Department  
Thomasville Police Department

## ILLINOIS

Buffalo Grove Police Department  
Evanston Police Department  
Glenview Police Department  
Illinois State Police

Mt. Prospect Police Department  
Palatine Police Department  
Palos Heights Police Department  
St. Charles Police Department  
Schaumburg Police Department  
Skokie Police Department  
Wilmette Police Department

## INDIANA

Elkhart County Sheriff's Department  
Fort Wayne Police Department

## IOWA

Cedar Falls Police Division,  
Public Safety Department

## KENTUCKY

Louisville Police Department

## MARYLAND

Baltimore County Police Department  
Salisbury Police Department

## MASSACHUSETTS

Andover Police Department  
Danvers Police Department  
MBTA Police Department  
Newton Police Department  
Northborough Police Department  
Stow Police Department  
Univ. of MA at Boston

## MICHIGAN

Ann Arbor Police Department  
Saginaw Police Department

## MINNESOTA

New Brighton Police Department

## MISSOURI

St. Charles County Sheriff's Department

## MONTANA

Montana Highway Patrol

## NEBRASKA

Lincoln Police Department

## NEVADA

Las Vegas Metropolitan Police Department

## NEW HAMPSHIRE

Dover Police Department

## NEW JERSEY

Passaic Township Police Department  
Plainsboro Township Police Department

## NEW YORK

Rochester Police Department

## NORTH CAROLINA

Burlington Police Department  
Greensboro Police Department  
Wilson Police Department

## NORTH DAKOTA

North Dakota Highway Patrol

## OHIO

Englewood Police Department  
Indian Hill Police Department  
Kettering Police Department  
Lebanon Police Department  
Montgomery County Sheriff's Office  
Ohio State Highway Patrol

## PENNSYLVANIA

Harrisburg Bureau of Police  
Mt. Lebanon Police Department  
Tredyffrin Township Police Department

## RHODE ISLAND

North Providence Police Department

## SOUTH CAROLINA

Greenville County Sheriff's Department

## TENNESSEE

Jackson Police Department

## TEXAS

Burleson Police Department  
Carrollton Police Department  
Highland Park Department of Public  
Safety  
Houston Police Department  
Pampa Police Department  
Victoria Police Department  
Wichita Falls Police Department

## VIRGINIA

Alexandria Police Department  
Arlington County Police Department  
Fairfax County Police Department  
Falls Church Police Department  
Hampton Police Division  
Henrico County Division of Police  
Herndon Police Department  
James City County Police Department  
Newport News Police Department  
Prince William County Police  
Department  
Staunton Police Department  
Virginia Beach Police Department  
Virginia State Police  
Williamsburg Police Department

## WASHINGTON

Clark County Sheriff's Department  
Redmond Police Department  
Washington State Patrol

## CANADA

Edmonton Police Department