



Division of Criminal Justice Services

New York State Law Enforcement Accreditation Program

IMPLEMENTATION GUIDE



New York State Division of Criminal Justice Services
Office of Public Safety
Law Enforcement Accreditation Program
80 South Swan Street
Albany, NY 12210
<http://www.criminaljustice.ny.gov/>

Prepared by

New York State
DIVISION OF CRIMINAL JUSTICE SERVICES
Office of Public Safety

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INTRODUCTION AND PROGRAM HISTORY

In 1983, the New York State Sheriffs' Association became the first organization of law enforcement executives in the country to develop and implement an accreditation program for its members. The program was an immediate success, and it led to efforts to implement a broader, state-wide initiative that would be suitable for all New York state law enforcement agencies.

In August 1986, a state-wide planning committee was formed to explore the feasibility of developing a state-wide law enforcement accreditation program. The individuals selected to work on this committee represented the State Association of Chiefs of Police, the State Sheriffs' Association, the New York State Police, and the State Division of Criminal Justice Services. A separate subcommittee was formed in February 1987 to draft specific standards for the planning committee's consideration.

Enabling legislation was presented to the State Legislature for consideration in 1987, and in August 1988, Governor Mario Cuomo signed Executive Law Article 36, §846-h, which established the Law Enforcement Accreditation Council.

The Law Enforcement Accreditation Council (the Council) met for the first time in March 1989 to review the work that had been accomplished by the committees. The proposed standards and rules and regulations were sent to a variety of stakeholders throughout the State. The Council met again in June to make modifications based on the responses and officially voted to adopt 169 standards that agencies had to comply with in order to become accredited through the program.

Once the standards were in place, seven law enforcement agencies participated in a comprehensive test pilot with the purpose of identifying potential problems that might be incurred during program implementation. By December 1989, the program was made fully operational.

Since the program began, the standards have been reviewed in full and modified twice

to ensure that they are still current and relevant. In the fall of 1995, the standards were consolidated from 169 to 144; and in October 2001, the standards were again revised and reduced from 144 to 130. In June 2008, the Council adopted two additional standards: one deals with sex offender management and the other with the collection of DNA samples. In 2011 a standard was adopted regarding Hate Crimes. Currently, there are a total of 133 standards that an agency must show compliance with in order to become accredited.

The Accreditation Program continues to evolve and the Council is committed to ensuring that the program remains responsive to the needs of New York's law enforcement community.

ORGANIZATIONAL STRUCTURE OF PROGRAM

The Law Enforcement Agency Accreditation Council (LEAAC)

The Law Enforcement Agency Accreditation Council (the Council), which is the governing body responsible for approving program standards, awarding accreditation, and generally overseeing the direction of the program.

The Accreditation Council's make-up is mandated by the enabling legislation. It consists of:

- Three incumbent Sheriffs of the state;
- Three incumbent Police Chiefs of the state;
- One incumbent Deputy Sheriff;
- One incumbent Police Officer;
- The Superintendent of the New York State Police (NYSP);
- The Commissioner of the New York City Police Department (NYPD);
- One incumbent Chief Executive Officer of a county within the state;
- One incumbent Mayor of a city or village of the State;
- One incumbent Chief Executive Officer of a town of the state;
- One member of a statewide labor organization representing police officers;
- One full-time faculty member of a college or university, who teaches in the area of

criminal justice;

- One member appointed by the New York State Assembly, and;
- One member appointed by the New York State Senate.

The Council is required by law to meet quarterly. It has the exclusive authority to grant the status of accreditation to New York State law enforcement agencies that have demonstrated compliance with the established standards. With the exception of the Superintendent of the NYSP and the Commissioner of the NYPD, all council members are appointed to a two year term and may be appointed for additional terms at the discretion of the Governor.

The New York State Division of Criminal Justice Services

Part 6035 of the Official Compilation of Codes, Rules, and Regulations of the State of New York tasks the administration of the accreditation program with the New York State Division of Criminal Justice Services. Program staff within the Accreditation Unit, housed in the Division's Office of Public Safety (OPS), serve as the staff arm of the Council and are responsible for overseeing all preparations for the quarterly Accreditation Council meetings. Their main responsibility is to oversee the daily administration of the program. Accreditation Unit staff members work closely with accredited agencies and those seeking to become accredited, providing on-going technical assistance throughout the process. Program staff members are responsible for coordinating the assessment process that is used to determine whether agencies seeking to become accredited or reaccredited have demonstrated compliance with the program standards. Accreditation Unit program staff also oversee the recruitment and selection of individuals interested in being assessors. Staff members review the applications and make recommendations to the Accreditation Council for their approval. Once an assessor is approved by the Council, they are required to attend a day-long training provided by the Accreditation Unit prior to participating in their first assessment.

Agencies are encouraged to utilize the assistance provided by members of the Accreditation Unit to help reach their goal, a suggestion that is repeated throughout this

manual. Accreditation Unit staff members offer many types of assistance to help agencies begin, complete, and maintain accreditation. Staff can:

- Provide direct technical assistance to agencies;
- Provide training for chief law enforcement officers, program managers, and other agency personnel to prepare them for implementing the program within their agencies;
- Help to interpret the intent of each standard;
- Provide guidance on agency policies with regard to whether they meet accreditation standards;
- Provide on-site assistance (to the extent manpower allows) to review files in the early stages so members of the agency seeking to become accredited know if they understand the program requirements;
- Provide copies of general orders of other accredited agencies to use as examples.

Agencies wishing to participate in the New York State Law Enforcement Accreditation Program can learn more about the program by either contacting a member of the Accreditation Unit (518-457-2667, option 6) or by visiting the office website at <http://www.criminaljustice.ny.gov/ops/accred/index.htm>.

AN OVERVIEW OF THE ACCREDITATION PROCESS

The Accreditation Program is made up of 133 different standards, as outlined in this **Standards and Compliance Verification Manual**, which can be downloaded from the website. Agencies seeking to become accredited are expected to implement all of the standards in place at the time of their assessment.

Of the 133 total standards, there are 69 Administration, 12 Training, and 52 Operations standards, as described below:

- **Administration** standards encompass such areas as general management, personnel, and relationships with other agencies. They also address organizational issues such as

the agency's mission, the delineation of responsibility, and delegation of authority.

- **Training** standards incorporate many requirements that have already been established by the State's Municipal Training Council. The standards are divided into four categories: Basic, In-service, Supervisory, and Records.
- **Operations** standards impact the ways in which agencies conduct the bulk of their crime fighting responsibilities. Major topics include patrol, traffic, criminal investigations, and unusual occurrences.

There are three sections to a Standard:

- The actual **Standard** is always in bold font. Agencies are required to meet every component of the standard to be considered in compliance.
- Many of the standards are accompanied by an italicized *Commentary* which offers background information, clarifies the intent of the standard, and generally provides recommendations for agencies to follow when implementing the standard. More often than not, the commentary is informational only. However, on occasion the commentary will include additional requirements that should be considered when determining how to meet the standard. While in most cases suggestions or recommendations made in the commentary are optional, agencies are encouraged to implement as many of the recommendations as they can in order to maximize the effectiveness of each policy and/or procedure.
- Finally, each standard is accompanied by 'Compliance Verification Strategies', or examples of what the assessors will look for to determine compliance with the standard. Agency staff should use these strategies as a guide when determining what to include in the file folder or have available when the agency is assessed.

An example of a Standard can be found in the Appendix of this guide.

It is important to note that while the standards tell agency officials what they must do to

earn accreditation, the chief law enforcement officer has considerable flexibility in determining how the agency will implement the specific requirements. Policies and procedures that work well in one department may be inappropriate in another. Program assessors have been advised to expect considerable variation in agency policies and procedures when conducting assessments.

Applying for Accreditation

The Application and Agency Participation Agreement¹ should be submitted as soon as a decision is made to pursue accreditation. The application and agreement do not legally bind a department to becoming accredited; they simply provide a mechanism for interaction between the interested agency and Accreditation Unit staff. When the application is submitted, the contact information for the agency's chief law enforcement officer and program manager is added to the Accreditation Unit database, ensuring that information about training for program managers and/or changes to the accreditation program is relayed to members of applicant agencies as well as accredited agencies. The Application remains current for five years or until a new chief law enforcement officer or chief elected official is named. If an agency has not become accredited within that five year period, a new Application and Participation Agreement must be submitted.

Preparing your Agency for Accreditation

Once the chief law enforcement officer of an agency has established that it is the right time to pursue accreditation, he/she must garner support for the program both within the agency and from the local governing body. Accreditation is a program that is most effective when there is "buy-in" from all involved parties, so educating municipal leaders, rank and file, and even union leaders on the process can be quite helpful. Accreditation Unit staff have assisted with this in the past and will continue to do so as resources allow.

Once the necessary support is obtained, a program manager should be selected so he or she can begin the process of readying the agency for an on-site assessment. The program

¹ See Appendix

manager is the most important person in the accreditation process aside from the chief law enforcement officer and, as such, should be selected carefully. The program manager is responsible for everything from preparing the file folders and making sure they are filled with plenty of proper documentation to making sure the agency has policies and procedures in place to meet all of the standards.

The Program Manager should foster open communication with all segments of the department. The program manager will need an adequate amount of time to coordinate the accreditation process and to draft the necessary policies and procedures, so having the support of the chief law enforcement officer is essential. Since these are very time consuming tasks, program managers should be relieved of at least some of their responsibilities whenever possible. At a minimum, the program manager should be allowed to reserve a specific period of time each week to work on accreditation-related duties.

The program manager will first need to review the agency's policies in relation to the accreditation program standards to get a better understanding of where the agency stands in the process. Once the program manager has a clear understanding of where the agency stands in the process, the program can begin to be implemented.

Policy Development and Implementation

The first thing a program manager should do is create a file folder for each standard. These are an important component of the program because they serve as the main method by which the assessors can verify compliance with the standards and are the mechanism by which the program manager can organize the standards, policies and documentation. Complete and well-organized file folders are an important part of a successful assessment.

The program manager should work very closely with the chief law enforcement officer to ensure that the agency has policies or practices in place that meet each and every standard. To become accredited, the chief law enforcement officer and accreditation program manager might begin by identifying program standards that are already met by existing

policies/practices within the agency. Most agencies find that they are already in compliance with some of the standards because they have the necessary written directives in place or they are conducting business as required by the standard.

In general, agency staff can expect three levels of development to meet the standards:

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

During the policy development and implementation stage, agencies should consider utilizing the technical assistance made available by the Accreditation Unit staff. Staff is available to discuss how a department's unique circumstances might affect the way in which a given standard should be implemented. Additionally, agencies may also network with accredited agencies in order to receive valuable input and advice on the accreditation process. Accreditation Unit staff can assist by linking program managers from accredited agencies with other program managers who are committed to completing the accreditation process for their agency. The program managers from accredited agencies provide guidance and direction to the members of the agency seeking to become accredited. Finally, Accreditation Unit program staff can provide a variety of resources that can be very useful in maintaining organization and focus while navigating through the process of preparing an accreditation program. These can be downloaded from our website listed on page 7 of this guide.

Program Standards That Do Not Apply

There have been cases where a standard may not apply because the agency doesn't perform a particular function or local laws/collective bargaining agreements prohibit agency staff from implementing all or a portion of a particular standard (considered *not applicable by function*). In these cases, a file folder for the standard must still be created and appropriate documentation made available to demonstrate the reason for not being able to comply (such as a union contract with the clause highlighted). Agencies should contact Accreditation Unit staff for questions concerning "not applicable by function" standards.

If compliance with a program standard is possible (meaning there are no local laws of contract clauses that prohibit compliance) but the agency is unable to comply due to unique or unusual circumstances, an agency may petition the Accreditation Council to waive the standard in question. The chief law enforcement officer must submit a written request to the Council explaining why the waiver is needed. The Council may grant a waiver only if it finds that doing so will not compromise the overall objectives of the Accreditation Program. Additionally, the Council may impose conditions in place of the waived standard to assure that the program goals are not devalued. A waiver is granted only when approved by a two-thirds vote of the Council and is a very rare occurrence. Again, a file folder should be created even for a standard that has been waived, and a copy of the waiver placed in it for documentation.

Remember – an agency is expected to comply with all current accreditation standards unless they receive an official Council waiver or they have been advised by Accreditation Unit staff that they can claim "not applicable by function" because of their circumstances. It's a good idea to have a letter or email from the Accreditation Unit manager indicating that the standard is not applicable by function. The correspondence can then be included in the file folder as additional documentation.

For more information, the Accreditation Council Policy entitled *Program Standards that do not Apply to Every Agency* is included in the Appendix of this guide.

Final Preparation

Once the agency is confident that the requirements of all program standards have been met, a mock assessment should be considered. The Council and Accreditation Unit staff members strongly suggest each agency undergo a mock because it can be very valuable in determining whether an agency is indeed ready to undergo the official assessment, and it can uncover deficiencies that can be resolved prior to the on site. Agencies that undergo a mock assessment generally have on-site assessments that run more smoothly.

Upon request, Accreditation Unit staff members will provide agency program staff with the names of assessors who are located close to the agency. Most if not all of our program assessors will conduct a mock assessment at no cost to the agency. A mock assessment is essentially an audit of the agency program files. The process includes: verifying that the overall format of the folder is consistent with program expectations; policies and procedures that are in place meet the standards, and; the folders contain adequate documentation. **All findings and recommendations which are made pursuant to a mock assessment must be regarded as advisory and unofficial in nature.** Accreditation Unit staff members are **not** notified of the outcome of a mock assessment.

Once the mock assessment is complete and the chief law enforcement officer and program manager feel confident that they are ready for an official assessment, the Accreditation Unit should be contacted so assessment proceedings can be initiated.

Pre-Assessment Procedures

In order to be assessed, an agency must submit the *Accreditation Assessment Agreement* (see Appendix). This form certifies that the agency has fulfilled certain requirements prior to the assessment. One requirement is that all policies and procedures must be distributed and fully implemented no less than 90 days prior to the on-site assessment. (If you opt to have a mock assessment, it's a good idea to make sure that requirement is met prior to the mock so that the file folders contain adequate documentation for the mock assessor to review.)

Next, Accreditation Unit staff designates a team of experienced law enforcement professionals to assess the agency. The chief law enforcement officer will have an opportunity to review the list of potential assessors prior to the assessment and request that specific individuals be disqualified due to a potential conflict of interest. Assessors may also be disqualified for other compelling reasons that are brought to the attention of program staff.

Once the assessment team is chosen, the agency will be contacted by the team leader of the assessment team, who will identify 10 files that will need to be sent for review prior to the official on-site assessment. This “ten-file review” provides an opportunity for the team leader to gage the agency’s readiness for the assessment. Accreditation Unit program staff will make all of the necessary logistical arrangements for the assessment team to conduct the on-site review of agency files. There is no direct cost to the law enforcement agency for the assessment.

The On-Site Assessment

An on-site assessment is a thorough evaluation of all of the administrative, training and operational policies and procedures of an agency **as they pertain to the standards**. A review of each file folder, general observations, and interviews with agency staff are all part of the assessment to determine if the agency is compliant with the standards.

DCJS will contract with a team of individuals selected by Accreditation Unit staff to conduct the on-site assessment. The team is generally comprised of three experienced and trained assessors (two are used for smaller agencies) who spend three days at the agency to complete the assessment. One member of the team is designated as the “team leader” and will supervise the assessment. The Council has a policy regarding assigning assessors, and the Accreditation Unit staff tries to select assessors who would be a good fit for each agency being assessed.

Generally, assessments begin on a Tuesday and end on Thursday. Initially the assessors will meet with the chief law enforcement officer and program manager to review the nature and scope of the assessment. It’s generally asked that the agency prepare a brief tour

and orientation of the department to kick off the assessment.

The agency being assessed will be asked to provide the team with a private room and give them access to appropriate office supplies and a telephone. All file folders and documents should be in one location and well organized by the time the team arrives on site. The program manager must be available at all times to answer questions and arrange any interviews that the assessors may want to conduct. The chief law enforcement officer should also be available during this time period or designate another member of the command staff to be available during periods when he or she can't. Some of the other key personnel that should be available during the course of the three day visit include the training officer, records clerk, property officer, evidence technician, personnel officer, fiscal officer, and union representative.

At the conclusion of the assessment, the team will meet with the chief law enforcement officer and program manager to discuss their overall findings. A detailed report of the team's findings and recommendations will be prepared as the official documentation of the assessment.

It is a rare assessment in which the agency has no corrections to make while the team is on site. Sometimes an assessor will require more proof in the folder; other times minor revisions will need to be made to a policy if certain components of the standard are not captured in it. The assessment team has been trained to make every effort to assist the chief law enforcement officer and program manager in correcting deficiencies while on site – but within reason. If the agency is unable to correct the deficiencies prior to the end of the on-site assessment, the team will confer with the manager of the Accreditation Unit to determine if the agency should be recommended for accreditation and given a period of time to correct a deficiency; or if the agency should not be recommended. Generally speaking, an agency will know prior to the end of the three day period (usually by the second day) if the team simply doesn't believe the agency is ready for the assessment. Again, this is rare but it has happened. The few agencies that have experienced this simply make the corrections and try again at a later date.

Accreditation

Upon completion of the assessment, the team leader prepares a report which is forwarded to the Accreditation Unit staff. The report is reviewed and then sent to the chief law enforcement officer and program manager of the agency that was assessed. Finally, the Accreditation Council receives the report so they may consider the agency for accreditation. If, based on the assessment report, the Council finds the agency to be in compliance with all the standards and no additional issues need to be addressed, the Council votes to accredit the agency.

Agencies are accredited for a period of five years. During that period of time, continued compliance with program standards is expected and demonstrated through submission of the Annual Compliance Survey. If an agency reports non-compliance on their Annual Compliance Survey, or at any time during the course of the five-years, Accreditation Unit staff will work with the agency to ensure that the lapse in compliance is short-lived and easy to rectify.

Award Ceremony

The Accreditation Council meets annually in March, June, September and December. At each meeting, agencies that were successfully assessed in the preceding months are officially accredited by the Council during the business portion of the meeting. Key members of the law enforcement agency are invited to the meeting where they are presented with the Certificate of Accreditation that officially recognizes the agency for meeting or exceeding all program requirements. Program managers are also recognized for the significant amount of work and coordination that goes into getting an agency prepared for an assessment. Once an agency is accredited they are eligible to display the accredited agency logo on items such as decals for agency vehicles, lapel pins and uniform ribbons. Successfully achieving accreditation is a source of pride for members of accredited law enforcement agencies, municipal leaders and the community as a whole.

Maintenance of Accredited Status

Once an agency is accredited, they must develop specific mechanisms to monitor compliance with the standards during the five years of accreditation status. As discussed earlier, each agency must submit an Annual Compliance Survey wherein they attest to their compliance with standards or note non-compliance. The chief law enforcement officer is required to advise Accreditation Unit staff of lapses in compliance so that corrective action to bring the agency back to full compliance can be planned and implemented. Once an agency has gone to the effort of becoming accredited, the ultimate goal is to maintain that status through reaccreditation every five years. Devoting time to the program on a regular basis will pay dividends when it is time to prepare the agency for a reassessment. Agencies that regularly review their policies and procedures, maintain their files, and conduct self-audits have a much easier time withstanding a reassessment, which requires an agency to show five years-worth of proof of compliance. More about maintaining accreditation can be found in the *Guide to Maintaining Accreditation* at <http://www.criminaljustice.ny.gov/ops/docs/index.htm#accredpubs>.

THE ROLE OF THE CHIEF LAW ENFORCEMENT OFFICER IN THE ACCREDITATION PROCESS

Introduction

The chief law enforcement officer in an agency plays a critical role in the accreditation process. The support and commitment shown by the highest ranking member of the department will set the tone for how other members feel about the program. The chief law enforcement officer must be firmly committed to accreditation in order for the agency to succeed. If the chief law enforcement officer is only marginally interested in the program or is pursuing accreditation at the insistence of others (such as municipal leaders) it will be difficult to ask others in the department to make the commitment.

Pre-Application Preparation

It is important that the chief law enforcement officer have a thorough working knowledge of the accreditation process from the outset. The more information available, the easier it will be for the chief of police or sheriff to determine if accreditation is appropriate for his or her agency. It's important that the chief law enforcement officer:

- Become familiar with the accreditation program standards and requirements.
- Review the department's existing policies and procedures as compared to the program standards in order to determine the impact the program will have on agency administration, training and operations.
- Determine the fiscal impact of accreditation. Potential costs include copying, printing new procedure manuals, or purchasing a file cabinet or other office equipment. Refer to the Cost/Resource Worksheet in the Appendix.
- Determine if the necessary staff can be made available to support the implementation of the program. It is imperative that the person selected as the program manager is allowed sufficient time to spend on the program both when preparing and maintaining.
- Build support for the program from municipal leaders to department rank and file.

One way to gage the impact of the program is to contact another chief or sheriff of an accredited agency to hear firsthand what it is like to go through the process and how their agency benefits from the program. Speaking directly to a program manager from another agency will help offer some insight into the amount of time and effort the program requires.

Developing Support for the Program

It is important that the chief law enforcement officer garner support for the program from three key groups: the local governing body; union leadership; and rank and file within the agency. "Selling" the accreditation program includes educating those groups on the importance of the program and listing the benefits that can result from achieving accreditation.

Local Governing Body - The legislation which established the Accreditation Program requires that the application to participate be submitted by the chief law enforcement officer of the agency with the approval of the municipality's chief elected officer. (In the case of a sheriff's office, no other signature is necessary since the sheriff is an elected official at the county level.) Garnering the support of the local governing body can lessen the chance that they are uninformed or disinterested in the program and increase the chance that they will be supportive of allocating resources to the program such as funds for additional training or staff members either fully or partially dedicated to program implementation.

Union Leadership - Without the cooperation and support of the unions, the accreditation process can be significantly slowed. Take the time to include the unions in the process by explaining the goals and benefits of accreditation to the union; seeking union input for new policies and procedures, especially those impacting sensitive areas such as personnel evaluations and discipline; and enlist the union leadership's help in gaining support for accreditation among the rank and file

Rank and File - Smooth implementation of the accreditation process requires internal acceptance of the accreditation program. The policies and procedures developed for accreditation may entail changes in the ways that officers do things, and the rank and file's support will be necessary to implement the new policies. Additionally, policies and procedures developed with input from the rank and file (required through Standard 2.3) can lead to improved policies and procedures from the perspective of those who implement them. It is imperative that the chief law enforcement officer involve the rank and file in the process as much as possible so that they are invested in the program and its success.

Procedural Duties of the Chief Law Enforcement Officer

As discussed earlier, it's important to select the right person or persons for the position of program manager. The chief law enforcement officer should assign someone who:

- Has an interest in and commitment to the program;
- Has a broad understanding of agency policies and procedures;
- Is an effective communicator;
- Has good organizational and writing skills;
- Is detail oriented;
- Is of sufficient rank to be able to delegate work, and;
- Is patient and consistent.

In some agencies the program manager is a deputy chief, lieutenant, or some other high-ranking official. Sometimes the chief or sheriff is the program manager. And in some agencies it's a sergeant, officer, deputy or even civilian. What's most important is that the chief law enforcement officer supports that person in their role and directs the rest of the staff to do the same. The program manager will need to enlist the help and support of all members of the department in order to get the appropriate documentation for the files and prepare for the assessment. They do not necessarily need to out-rank everyone in order to get that support if the rank and file knows it's a priority to the chief or sheriff.

The chief law enforcement officer's role in the accreditation process does not end with the appointment of a program manager. The chief retains a management role with regard to the program. The administrative responsibilities of the chief law enforcement officer include:

- Co-sign the Application with the Chief Executive Officer of the municipality.
- Sign the Agency Participation Agreement. This agreement sets forth key program policies such as confidentiality, sets forth the specific program requirements and explains what the Accreditation Council expects of participating agencies. It also identifies what participating agencies can expect from both DCJS and the Accreditation Council. This Agreement must be submitted with the application.
- Sign the Accreditation Assessment Agreement when the agency is ready to be assessed.

- Ensure that all policies and procedures developed to meet accreditation requirements are fully implemented and in effect for three months prior to the assessment.
- Standard 2.3 requires that the agency has a procedure in place to ensure the receipt of all written directives by all members of the agency. Copies of all new procedures should be issued as they are approved and all personnel must be trained in and familiar with all policies and procedures.
- Meet with the program manager at least once a week to discuss progress, and be accessible at other times when necessary to respond to suggested policy/procedural changes in a timely manner.
- Run interference if necessary to help the program manager when requests are made for feedback from higher ranking officers. Program managers must have the authority to delegate responsibilities where appropriate. If necessary, an officer of command rank can be assigned to assist the program manager in this task.
- Establish and enforce firm deadlines. A department can achieve accreditation in anywhere from 6 months to 2 years if there is a consistent effort toward meeting the goal.
- Make sure everyone (command staff, rank and file, government officials, and the public) is kept up to date on the progress of the accreditation process and encourage them to stay involved.
- The chief or sheriff should be available to the assessors at all times during the on-site assessment and should ensure that they have adequate working space and access to all necessary files and personnel.
- The chief law enforcement officer should ensure that a formal mechanism is in place to regularly monitor compliance with all program standards, including the submission of the Annual Compliance Survey.

- Finally, the chief law enforcement officer should set the tone within the department that the program is a top priority and that all members of the department are expected to play an active role in ensuring compliance with the standards.

THE ROLE OF THE PROGRAM MANAGER IN THE ACCREDITATION PROCESS

Introduction

In order to be successful, the accreditation program manager should be given the authority to direct all accreditation related activities. The program manager assumes responsibility for establishing and maintaining the plan, organizes, manages, and controls the program, functions as the liaison between the agency and the OPS Accreditation Unit, and communicates progress to the chief law enforcement officer.

Pre-Application Preparation

The program manager must have a thorough understanding of the accreditation program's rules, policies, and requirements from the onset. It is better to take the time to become thoroughly familiar with the accreditation process than to charge ahead without direction and end up wasting time, energy and resources. If there is no clear vision of what must be accomplished, it will be more difficult to reach the goal. In order to have the process run smoothly from the beginning the program manager should:

1. Approach accreditation with an open mind. Use the program as an opportunity to review and update all the policies and procedures for the department. The program standards are considered minimums that departments should meet, and often there are specific conditions that each agency faces that should be addressed as well.
2. Keep in mind that while the accreditation process is not complicated, it is comprehensive and time consuming. However, any department, regardless of size, can complete the accreditation process if the task is approached systematically.

3. Avoid common traps such as proceeding with misinformation, being disorganized, trying to do too much at once, getting distracted, and not setting aside sufficient time to work on the program. These are all areas that can sabotage your efforts.
4. Agency program managers are strongly encouraged to communicate with Accreditation Unit program staff regularly as they proceed through the process of readying their agency for accreditation. Discussions with unit staff can provide much needed peace of mind about the process and the ability to find success for your agency.

Planning For Accreditation

Program managers should develop a detailed work plan as soon as the agency submits the application for accreditation. A poorly planned project will take much longer to implement than necessary and will waste valuable time, effort and resources. Some suggestions that agency program managers may consider in preparing for the project are:

- Become familiar with the program and the standards. Materials are available on the website (<http://www.criminaljustice.ny.gov/ops/docs/index.htm#accredpubs>) and staff is available to answer all questions.
- If possible, visit other accredited agencies. Accredited agencies are usually more than happy to assist other law enforcement agencies through the process. They understand what goes into preparing an agency for accreditation and their insight is valuable and helpful. Accreditation Unit staff can provide a directory with names, addresses, and phone numbers of all accredited agencies, and can assist program managers in networking. It may be beneficial for a program manager and the chief law enforcement officer to visit an agency similar in size together.
- Attend a Program Manager training as soon as possible. The training provides valuable information on the day to day aspect of administering the program and many useful ideas and strategies.

- View and refer back to the 'Program Manager Tutorial' which can be found on the DCJS Accreditation website along with the other forms and publications.

Organizing the Project

The process of preparing an agency for accreditation will be completed more quickly and efficiently if it is approached with structure and direction. Some ideas that have worked in other accredited agencies include:

1. **Put goals in writing.** Written goals allow the program manager to clearly identify exactly what needs to be accomplished, measure the progress made toward meeting those goals, and readily see which standards are completed and which ones need additional attention. The Accreditation Unit provides several generic logs that will assist the program manager in staying focused and organized. The Agency Master Plan is ideal for keeping track of exactly what needs to be done to work toward accreditation, and the Program Manager Log Sheet is a great way of keeping track of what needs to be done for each and every standard. To access these and other forms, go to <http://www.criminaljustice.ny.gov/ops/docs/index.htm#accredforms>.
2. **Identify and establish priorities.** Start early on tasks which require the most work or will take a long time to accomplish. Concentrate on "problem areas" such as labor issues, use of force standards, evidence, and internal affairs. Accreditation Unit staff members can offer suggestions and support in overcoming obstacles that may arise when attempting to comply with certain standards.
3. **Set a deadline for the completion of the accreditation program and adhere to it.** Without a target deadline, the project can drag on indefinitely. A reasonable deadline should take into account factors such as vacations, tourist activities, seasonal fluctuations in population, agency staff and calls for service, etc. Program managers should consult with the chief law enforcement officer and command staff about the manpower resources that can be made available for accreditation duties.

4. **Delegate tasks.** Although program managers are generally responsible for preparing the agency for an assessment, they are not experts in all areas of policing. As such, program managers should have or be given the authority to delegate tasks to appropriate personnel based on their area of expertise. For instance, the program manager might request that the training officer be responsible for ensuring all of the training standards are met and necessary documentation is available; the Internal Affairs Officer might be responsible for those standards; etc. Delegating assignments will allow the goals to be reached more quickly, but even more important, it will engage other members of the agency in the process and help to make them feel more invested in the program.

In order to effectively delegate tasks, the program manager should:

- Explain the accreditation program and convey their plan of action to members of the department involved in the accreditation process;
- Delegate to the appropriate person and explain (if necessary) why they have been selected for this assignment.
- Be specific when describing the task that's being delegated. Program managers should provide them with the standard(s) they are being asked to be responsible for; describe the purpose of the standard(s); and set firm deadlines for completion of the task so the timetable can be adhered to.
- Communicate clearly and often. Program managers should be direct and concise in their requests and open to feedback. Good communication between the program manager and the people who are being tasked with developing one or more standards will lend itself to success.
- Agree on conditions up front. Settle on things like responsibilities, deadlines, expectations, progress reports, etc. Identify specific intermediate objectives and deadlines. The accreditation process is less intimidating and overwhelming if

divided into component parts, and people are more enthusiastic if they can attain success early by meeting incremental goals.

- Identify the resources needed to make the accreditation process run efficiently. Resources may include an administrative assistant, computer, file cabinet, copy machine, etc. Be aware that there are indirect costs involved in the accreditation process, so program managers should attempt to find the most cost-effective means of adequately preparing the agency.

5. **Involve the union and rank and file.** Unions can make the program manager's job easier or more difficult. The chief law enforcement officer should begin by enlisting the support of the Union, but the program manager should also work on nurturing a good relationship with union representatives to further ensure the accreditation project is one that the rank and file can be invested in. Early communication will help uncover any concerns the union may have about how accreditation will affect the rank and file. Conversely, the program manager must be aware of any and all union contract provisions that may affect a particular standard(s). Keeping the union leadership up-to-date on the progress of the project will help to dispel any rumors about changes that may occur as a result of accreditation. Program managers should work with the rank and file to generate enthusiasm and allay common fears associated with change. As important as it is to have the full support of the chief or sheriff, having 'buy-in' from the rank and file is absolutely critical to an agency successfully achieving accreditation. Encouraging feedback on drafts of policies and being open to opinions and suggestions will produce a greater commitment to the process by sworn personnel.
6. **Call Accreditation Unit program staff early and often.** The Accreditation Program staff encourages managers to contact them with questions or concerns about the project. It is also recommended that managers keep them regularly informed of progress of their project.

FILE FOLDERS

A **'file folder'** must be prepared for each and every program standard. The file folders serve two distinct purposes: they help the program manager keep their accreditation information organized and serve as a means of self-audit; and they are used by assessors during the on-site assessment as one means of determining if the agency has met compliance with each of the standards. An agency can be doing everything correctly in practice, but without the advantage of having documentation readily available in the file folders, a full assessment could literally take weeks. **Do not underestimate the importance of having organized, complete, and current file folders.**

Each file folder must include:

1. A copy of the standard;
2. A Standard Compliance Report (see page 27 for more information);
3. The written directive required by the standard (if applicable);
4. Adequate documentation that demonstrates the agency's compliance to the standard.

Plain manila folders work just fine for the file folders, but some agencies might opt to use folders that have inside pockets. That is a personal choice. The most efficient way to structure the folders is to staple the standard to the inside left cover of the folder; and then place the other items in it in the order listed above. The more organized your files are, the easier the assessment will be.

Color Coding

A system of matching the standard requirements to the corresponding section of the policy should be in place, and **color coding** seems to be the most popular choice among program managers. Many standards are covered by policies that touch on more than just what is required in the standard. If color coding or some other form of designation is not used, assessors have to read through sometimes very lengthy policies just to get to the one small section that meets the standard. Color-coding makes the assessment easier and can also be

used as an “at-a-glance” check for the program manager to make sure all aspects of the standard are covered by the policy.

Color-coding can be accomplished easily and with little expense. Everyday highlighters, or using highlighting on the computer and printing on a color printer will do the trick. For standards that have several bullets or components, a different color should be used for each and the corresponding section of the policy should match the appropriate bullet.

Standard Compliance Reports

The **Standard Compliance Report** enables both the agency and the assessors to quickly determine how compliance is being met. The top half of the form is completed by the agency during its preparation for assessment. The agency identifies specific source(s) used to establish compliance and then places the corresponding documentation in the file folder. The assessors will use the bottom half of the report during the assessment to track whether or not the agency has successfully demonstrated compliance. Assessors may examine written documentation, conduct interviews and/or directly observe operations in order to confirm compliance to the standards.

Compliance with program standards is determined in several ways:

- **Review of written directives** – Written directives can include general or special orders, standard operating procedures, policies, procedures, directives, and/or rules and regulations. These address what agency personnel must do in a situation or how a procedure should be handled. The directives do not prove to an assessor that the policy is being implemented, only that the agency has a written policy or procedure in place that addresses that particular standard.

Although each standard must have its own separate folder, you don’t necessarily need to have a directive specific to each standard. Some written directives may apply to multiple standards, in which case the same directive might be filed in several different folders. Also, not every standard calls for a written directive. Some call only for

participation in things like the state fingerprint/criminal history records system and Uniform Crime Reporting System or National Incident Based Reporting System (Standard 8.2). Agency documentation can show proof of compliance with standards that do not require a written directive.

- **Documentation and Proofs** – Proofs are materials that demonstrate compliance with agency directives and may include reports, samples of agency forms, files, logs, lesson plans, personnel files and evaluations. For example, the folder containing Standard 5.3 (establishing procedures for collecting, safeguarding, and disbursing cash) should not only consist of the directive but also copies of bail receipts, financial statements, records of appropriations, logs of petty cash, and/or disbursing records. The assessors must be able to ascertain through tangible proof that the standard is being complied with and the policy followed.
- **Interviews** - Assessors may interview agency personnel to ascertain their understanding of certain written directives and to see if they understand the standard they pertain to. The agency may indicate which standards may be documented through interviews, but ultimately it is up to the assessors which standards they want to conduct interviews on. It is the responsibility of the agency to ensure the appropriate personnel are available to the assessors during the three-day assessment. The assessors may conduct independent interviews of agency personnel other than those staff members noted by the agency on the Assessment Agreement.
- **Observations** - Assessors may verify compliance through direct observation of appropriate standards. Examples of standards that assessors may use direct observation to support compliance include, but are not limited to, evidence handling, communications, inspections of financial record keeping, vehicle equipment, uniforms and appearance and record keeping.

Each agency must prove that they have complied with all of the standards. Agency program managers should follow the guidelines recommended in the Compliance Verification

Strategies (part of each standard) when determining what to keep in the folders and how to demonstrate compliance both for their own information and the assessor's information. It is very important that agencies keep as many different examples of compliance as possible in each and every file folder. This does not mean including ten examples of the same form, but, instead including diverse samples of compliance. Program assessors have found that many agencies that have scheduled an on-site assessment often lack enough supporting documentation in their file folders.

For more information, refer to the Standard Compliance Report and Contents of a File Folder in the Appendix.

DEVELOPMENT OF A POLICIES AND PROCEDURES MANUAL

Introduction

A well-written policy and procedure manual is the foundation of a professional law enforcement agency. Law enforcement officers are afforded extraordinary power, discretion, and authority, and the nature of policing requires that officers often must react in emergency situations and make split-second decisions that can ultimately affect life and death. Current and well-written policies, and ensuring that all members of the department are familiar with those policies, are the best way to ensure that officers will know how to handle each situation and that their performance is consistent both individually and as a group.

A complete and well-written policy and procedure manual provides law enforcement executives, supervisors and officers with a number of advantages such as officer protection and the ability to defend agents of the law enforcement agency and/or municipality from civil actions should they arise. Accreditation especially demonstrates that the department heads have shown due diligence in directing the actions of their employees and that officers followed approved procedures in carrying out their duties. A complete policy and procedure manual also demonstrates that the chief law enforcement officer has taken a proactive approach in anticipating how to approach high liability areas of policing.

A good policy or procedure informs department personnel of their responsibilities and acceptable behavior as a member of the organization; they establish general performance standards; and they can create consistency between supervisors, shifts, units, and officers. By developing clear and concise policies and procedures, chief law enforcement officers communicate expectations to each member of the department and establish a baseline for accountability, responsibility and discipline.

A written manual of department policies and procedures serves as a central repository for all departmental guidelines making it easier for officers to locate the agency's most recent procedure or directive, providing consistency in making decisions, and ensuring a solid foundation for the professional operations of a modern-day law enforcement agency.

Mission Statement

In discussing the development and organization of a policy and procedure manual, it is important that the program manager has a clear understanding of basic terminology. A **mission statement** is the broadest overview of an agency's intent. It should describe, in general, the purpose(s) of the organization and define the role of the agency in the community.

Goals

A **goal** is an ideal or target that establishes the direction of the agency or even a given unit within the agency. A goal is a general statement of direction or intent that describes, in concrete terms, the accomplishments expected of the agency. Goals should be realistic and measurable.

There tends to be some confusion in terms of what constitutes a true goal. Goals are intended to provide guidance to all staff members with regard to what the agency, or a specific unit within an agency, is setting out to accomplish. If the agency reaches a particular goal, another should be set in its place so the goals are being used as a way of continuously moving the agency forward. For example:

“The Mayberry Police Department will establish a Domestic Violence Unit.”

This is a true goal in that its purpose is to establish a new direction for the agency.

“The Mayberry Police Department will continue to utilize its Domestic Violence Unit.”

This is NOT a true goal. It implies that the unit has already been established and that the agency plans to continue business as usual.

Objectives

An **objective** is a specific statement about how to achieve an agency's goals. Objectives should define the results that are to be achieved (the "what" and "when"), but not the activities that are to be performed (the "why" and "how"). Objectives should start with the word "to" and be followed by an action verb. They should specify a single key result to be accomplished and set a target date to be completed. These should be consistent with organizational policies and should be mutually agreed upon by all levels within an agency.

GOAL: *“The Mayberry Police Department will establish a Domestic Violence Unit.”*

OBJECTIVE: *“To provide enhanced services to victims of domestic violence by establishing a Domestic Violence Unit within the Mayberry Police Department by the end of 2014.”*

Tasks

Although the standard for Goals and Objectives (Standard 1.2) don't specifically mention tasks, they are necessary because the tasks are what will make the goal realistic and measurable. Goals and objectives are useless if there is no plan of action for how they will be accomplished. So for the goal listed above, based on the objective your agency may report on how the positions for the unit were filled, what kind of training on the subject matter was provided for the unit members, what kind of outreach was conducted to the target population and the results of providing education and services to the target population (e.g. 45 women were referred for job training, 20 were placed in shelters, etc.).

Policies

A **policy** is a definite course of action intended to guide decision making within an organization. Policies are not specific (like procedures), but instead serve to outline how management expects members of the agency to respond to certain situations or circumstances. Inadequate policies can result in a lack of consistency in how members of a department carry out tasks. Policies can be defined as general statements that can be applied in recurring situations rather than a detailed procedure.

Procedures

Procedures are much more specific than a policy. Procedures describe specific steps to be taken in situations in order to honor the intent of a policy. Procedures may still provide for some flexibility – they may describe what steps should be followed at a minimum. Procedures provide for uniformity within an agency or unit, providing all staff members with an outline to follow when handling similar situations.

Rules and Regulations

Rules and **Regulations** are specific and restrictive directives and are intended to cover situations in which there can be no deviation in performance. Rules and regulations are generally limited to situations or circumstances which can result in disciplinary actions if they are violated.

Organizing a Policy Manual

There are a number of different characteristics of an effective and efficient policy manual. First and foremost, the manual should be disseminated and readily available to all personnel, as is required through Standard 2.3 of the Accreditation Program. This can be accomplished by issuing every member a copy of the manual (either hardcopy or electronic), placing it in several accessible locations within the department, or making it available on the agency's 'intranet' if all members of the department have access to it there. Policies that are

unavailable or inaccessible cannot be expected to be followed or adhered to by personnel. Some agencies may choose to break up a single manual into two or more separate manuals that are distributed on an "as needed" basis. For example, policies that deal with the "Administration" aspect of an agency would be distributed to command officers and managers, with several copies made available at strategic points in the agency for reference by line officers. Either way, complete copies of the entire policy manual must always be made available as a reference for all agency personnel. The agency's policy manual should be considered a "working document" for every officer to refer to for almost any situation.

The organization of a policy manual will depend on the individual needs of each agency. Broad topic areas should be clearly marked by easily recognizable dividers. The positioning of the sections might be best arranged based on how often they will be used with sections that are frequently used placed near the front of the manual for quick reference.

An important factor to consider in producing a manual is the necessity for a complete index. The index system should be arranged alphabetically for quick reference and should include cross-references (e.g., under "vehicles" in the Index, an agency may sub-divide to include "equipment", "firing at or from", "inspections of", "inventory of", "pursuits", "unmarked", "lockouts" and "operation of"). In addition, the same policy may be placed several times in the Index under different topic headings. This is absolutely critical so that officers can quickly look up a policy in an emergency situation.

Finally, policy manuals should have a solid cover that will hold-up under extensive use, and it should contain heavy-weight paper that does not tear easily. The pages should be bound in a way that easily allows for updates and revisions. The pages should also turn freely without ripping out of the binder. All of those characteristics will increase the chance that all of the policy manuals in circulation within an agency are complete, with no missing pages.

Strategies for Formatting Policies

There are many different ways of organizing policies into a standardized format. Standardization offers several advantages, such as ease of recognition, reading, filing,

retrieving, correcting and updating. Accreditation Standard 2.3 covers guidelines that agencies are required to follow in establishing a system for written directives (or policies). The format and content that an agency chooses for their policies and procedures may vary, but there are several common features that chief executive officers should consider. For instance, each directive should contain a heading that contains specific information including:

- The name of the department;
- The type of directive that is being issued (general order, special order, personnel order, rule and regulation, training bulletin);
- The effective date of the directive, including dates of revisions;
- The name and signature (or initials) of the chief law enforcement officer indicating that he or she issued and approved the directive;
- An index control code which identifies each separate directive for easy access, updating and purging.

One method of indexing is to identify a directive by the year issued and the chronological position of issue within that year. For example, the sixth general order issued in 2000 would be identified as "GO 2000-6", while the tenth training bulletin issued in 2000 could be numbered "TR 2000-10".

Another variation of indexing uses an alpha-numeric numbering system. Depending on how the agency sub-divides its manual, each page number would begin with one of the manual sections (example: an agency may divide its policy manual into three sections: Administration, Training and Operations). The first digit in this type of numbering system would be either "A", "T" or "O." The next space would contain the section or topic of the directive and be followed by the page number for that particular directive. For example, a directive might be numbered "A-1-2". The Table of Contents or Index would indicate that this is the "Mission Statement" that is found in the first section in the Administration part of the

manual. The last number in this sequence refers to the second page of the directive.

Manuals might also be divided into numerical sections (example: 1= Organization, 2= Personnel, 3= Rules of Conduct, 4= Investigation, 5= Patrol Procedures, etc.). Following this variation, the directives could be numbered based on the Table of Contents. For example, a general order dealing with the agency's mission statement could be numbered "GO 1-2-3." This would indicate that this general order could be found in the first section (1 = Administration), it is the second directive found in this section (2), and that there are a total of three pages in this general order (3).

Critical elements that should be included in every directive include the date of issue and a separate block that indicates the date which it was reviewed. CLEO's should develop a system that allows for the review of every agency directive annually. The proof of this review would be the dates and initials of the CLEO or designee on each order.

A current and well-written system of directives is not just an option in today's society - it is a necessity. A great deal of responsibility and liability is placed on police departments, so chief executive officers and police officers need current and detailed guidelines to follow to ensure the highest level of professionalism. The development and implementation of a system of directives allows every person in a police department with the tools needed to perform their jobs professionally and effectively.

ELECTRONIC FILE MANAGEMENT

In response to a request by some agencies to manage their files electronically, in 2008, DCJS developed a very basic electronic file management system that can be used by any agency on any computer system. Electronic file management ensures that critical police documents are protected in the event of flooding, fire or structural damage; reduces the amount of staff time needed maintain the files; and results in a reduction in cost due to savings on paper and printing.

The basic electronic file system is set up exactly the way a traditional file-folder system

is, but paperless. All files are stored on a computer hard drive and should be backed up to a save location. Getting started is simple: upon request, the DCJS Accreditation Unit will provide any agency an electronic template of all 133 file folders, along with the corresponding standard and standard compliance report, a file folder for directives and policies and a file folder for supporting documentation.

Some agencies are opting to use more sophisticated file management systems and there are several different vendors that provide this type of software. The DCJS Accreditation Unit does not mandate electronic file management of any type. However, if your agency opts to manage their files electronically, bear in mind that the system must be user-friendly so that when assessors conduct their on-site assessment of files, they are able to easily access everything that they need. Electronic files should be set up similarly to paper files and should be color-coded and well organized. Assessors that have conducted assessments using electronic files have noted that it is helpful to have two computer monitors to conduct the assessment. And remember – three assessors make up a team so be sure there are enough computers and monitors available for each team member.

Affixing an Electronic Signature

In keeping with the age of electronic files, the Accreditation Unit now accepts electronic signatures on all program materials that require a signature. Having access to an electronic signature is as easy as having a marker and a document scanner.

- 1. Using a felt-tipped pen (a Sharpie® works best), sign your name on a piece of plain, white paper
- 2. Scan the document and save the signature in a file that you can readily find it. It will be stored as a jpg image.

Right click on the signature image then left click on “copy” from the menu. Open up whatever form you need to affix the signature to and place the cursor in the area where you would sign. Right click. When the menu comes, click on “paste” and the signature will drop on the document. It may be oversized. To reduce the size of the signature, click any place

on it. A blue box will outline the signature. Put the cursor in the upper right hand corner, left click and hold, drag to make the signature fit the box.

APPENDIX

1.2 Goals, Objectives and Evaluation of Goals

ADMINISTRATION

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

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

Compliance Verification Strategies

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

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



**NEW YORK STATE LAW ENFORCEMENT AGENCY
ACCREDITATION PROGRAM**

APPLICATION AND AGREEMENT

Date of Application:

LAW ENFORCEMENT AGENCY INFORMATION:

Agency Name: _____

Address: _____

County: _____

Chief Law Enforcement Officer (CLEO):

CLEO Telephone:

CLEO Email:

Number of full-time police officers: Number of part-time police officers:

MUNICIPALITY (OR COMMUNITY SERVED) INFORMATION:

Chief Elected Officer (CEO) of Municipality: _____

Or

²Authorized Administrator (if there is no CEO): _____

Title:

Address:

Telephone:

CEO Email:

² Examples of an "Authorized Administrator" are president of a university or chairman of the main legislative body if there is no CEO.

PLEASE NOTE: Since Sheriffs are countywide elected officers, obtaining the approval of the county's chief elected officer is optional.

ELIGIBILITY:

Section 846-h of the New York State Executive Law states that agencies wishing to participate in the Law Enforcement Agency Accreditation Program must employ one or more police officers as that term is defined in the following paragraphs of subdivision 34 of Section 1.20 of the Criminal Procedure Law.

- (a) A sworn officer of the division of state police.
- (b) Sheriffs, undersheriffs and deputy sheriffs of counties outside of New York City.
- (c) A sworn officer of an authorized county or county parkway police department.
- (d) A sworn officer of an authorized police department or force of a city, town, village or police district.
- (e) A sworn officer of an authorized police department of an authority or a sworn officer of the state regional park police in the office of parks and recreation.
- (f) A sworn officer of the capital police force of the office of general services.
- (g) A sworn officer of the division of law enforcement in the department of environmental conservation.
- (h) A sworn officer of a police force of a public authority created by an interstate compact.
- (i) Long Island Railroad Police.
- (j) A sworn officer to the water-supply police employed by the City of New York and acting outside said city, appointed to protect the sources, works and transmission of water supplied to the City of New York and to protect persons on or in the vicinity of such water sources.
- (k) Persons appointed as railroad policemen pursuant to section eighty-eight of the railroad law.
- (l) A university police officer appointed by the state university pursuant to paragraph 1 of subdivision two of section three hundred fifty-five of the education law.

CERTIFICATION OF ELIGIBILITY:

The Agency certifies that it meets the eligibility criteria specified above. The police officer (s) employed by the agency fall within paragraph___of subdivision 34 of Section 1.20 of the Criminal Procedure Law.

Desire to Participate

The _____ (name of law enforcement agency) hereby expresses its desire to participate in the New York State Law Enforcement Agency Accreditation Program and affirms that it is committed to earning accreditation in accordance with the requirements set forth by the New York State Law Enforcement Agency Accreditation Council.

Signature
Chief Law Enforcement Officer

Date

Executive Approval

Approval is hereby given for the agency named above to participate in the New York State Law Enforcement Agency Accreditation Program.

Signature
Chief Elected Officer
(Or other authorized signature)

Date

CONTINUED ON NEXT PAGE

**STATE DIVISION OF CRIMINAL JUSTICE SERVICES
LAW ENFORCEMENT AGENCY ACCREDITATION COUNCIL**

LAW ENFORCEMENT AGENCY PARTICIPATION AGREEMENT

This participation Agreement is entered into between the _____ hereafter referred to as the “Agency” and the New York State Law Enforcement Agency Accreditation Council, established within the New York State Division of Criminal Justice Services pursuant to Executive Law Section 846-h, hereafter referred to as the “Council”

The mailing address of the Agency is:

Zip

Telephone Number:

Email:

Accreditation Program Manager:

Name and Rank: _

Telephone Number:

Email:

The Agency and the Council agree to the provisions and terms set forth in this Agreement and to be bound by them in the execution of the Agreement. Each party agrees as follows:

1. PURPOSE AND LIMITATIONS OF THIS AGREEMENT

- A. The purpose of this Agreement is to establish the terms of the relationship between the Agency and the Council and to establish their mutual responsibilities in the accreditation process.**

- B. It is understood that the agency is not legally bound to participate in the Accreditation Program and that any responsibilities incurred pursuant to this Agreement have been assumed voluntarily.**

- C. It is further understood that agency participation in the Accreditation Program is contingent upon the continued approval of the chief elected officer or other authority where there is no CEO.

2. **AGENCY RESPONSIBILITIES**

The Agency agrees to:

- A. Provide all information requested by the Council in good faith and to the best of the Agency's knowledge and honest judgment. Such information should include comments, files, records, and data required by the Council insofar as they may be provided in accordance with laws and regulations of New York State and the municipality of which the Agency is a part.
- B. Cooperate fully with the Council's Assessors during the on-site verification of Agency compliance with program standards. The Agency further agrees to provide all necessary files, records, and facilities requested by the Assessors.
- C. Use the program logo and other indicators of accredited status in accordance with the rules governing same as set forth by the Council. In the event that the agency's accredited status expires or is otherwise lost, the agency agrees to immediately discontinue its use of these indicators.

3. **COUNCIL RESPONSIBILITIES**

The Council agrees to:

- A. Provide all publications, documentation, forms, instructions, and technical assistance as necessary for the Agency to participate in the accreditation process at no cost to the Agency.
- B. Provide assessors acceptable to the Agency for the purpose of conducting an on-site assessment of Agency compliance with relevant standards.
- C. Review and evaluate all information and finding obtained from the assessment and advise the Agency of the results thereof.
- D. Provide formal certification and other necessary materials to the Agency in recognition of the accreditation status.
- E. If accreditation is not granted, advise the agency of the reasons therefore and the necessary steps to gain accreditation.

4. **CONFIDENTIALITY**

- A. Insofar as it is permissible by law to do so, the Council shall observe a strict policy of confidentiality on all information received from participating agencies during and after accreditation. All reports, files, records and related materials prepared by assessors or program staff regarding an agency's participation in the program shall be held in confidence in the same manner. No materials or contents thereof shall be disclosed, distributed or released to any person or organization except as authorized by this Agreement, by law or in compliance with a court order.
- B. With prior participating agency approval, exemplary policies and procedures may be included in a Resource Manual and disseminated to interested officials. The Council will not disclose the name of any Agency which contributes material for the Manual unless authorized in writing to do so by the Agency's Chief Executive Officer.
- C. It is the policy of the Council to speak about the accreditation program in general rather than about specific agencies. In response to any inquiries regarding the agency's status with respect to accreditation, the Council will only reply that the Agency has applied for accreditation or that the Agency has been accredited. All other inquiries will be directed to the Agency's Chief Executive Officer.
- D. The Agency acknowledges that the Council has the right to identify that Agency in news releases and other public information materials once the Agency has been accredited. No specific information shall be disclosed by the Council other than that the Agency has been granted accreditation.

5. **LENGTH OF ACCREDITATION**

- A. Accreditation shall be for five years. Agencies wishing to be reaccredited at the end of this term will expected to follow a procedure similar to the initial accreditation process and to comply with all guidelines then in effect.

6. **MAINTENANCE OF AGENCY ACCREDITATION STATUS**

- A. Upon certification by the Council, the Agency shall maintain compliance with accreditation standards.
- B. The Agency agrees to submit an annual survey testifying to its continued compliance with all applicable standards. The Agency will notify the Council in the event that it cannot maintain compliance with any standard or standards and agrees to submit an annual Accreditation Compliance Survey that will be provided by the Council.

7. **MISCELLANEOUS**

- A. This Agreement shall take effect upon execution by the Agency’s Chief Executive Officer and the Commissioner of the Division of Criminal Justice Services or his authorized representative.
- B. The Agency retains the right to terminate this Agreement for any reason by submitting written notice that the Agency intends to withdraw from the Accreditation process.
- C. The Council retains the right to terminate this agreement if it determines that the Agency is not acting in good faith to honor the terms of the Agreement. The Council will submit written notice to the Agency if it chooses to exercise this right.
- D. This document constitutes the full agreement of both parties. The parties to this Agreement acknowledge that there are no provisions, terms, or obligations other than those set forth herein.
- E. The Commissioner of the Division of Criminal Justice Services or his designee will act in behalf of and in the name of the Council in all matters pursuant to this Agreement.
- F. All disputes relative to this Agreement or any other matters pertaining to accreditation will be resolved by the Council following a hearing at which Agency representatives will participate.

The parties signed this Agreement on the day and year appearing opposite their respective signatures.

The Agency

BY: _____ Date:

Title:

New York State Division of Criminal Justice Services

BY: _____ Date:

Title:

This form should be returned to:

NYS Division of Criminal Justice Services
 Office of Public Safety
 Alfred E. Smith State Office Building, 3rd Floor

**80 South Swan Street
Albany, New York 12210
Attention: Law Enforcement Agency Accreditation Program**

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

PROGRAM STANDARDS THAT DO NOT APPLY TO EVERY AGENCY

Agencies are routinely expected to implement all program standards in order to become accredited. Exceptions to this rule are granted only when:

1. A local law or agreement takes precedence. Program standards and definitions approved by the New York State Law Enforcement Agency Accreditation Council are not intended to replace or circumvent any legal requirement that may apply to individual agencies. The Council recognizes that State and local laws, Codes, Rules and Regulations, and current bargaining agreements are binding in nature and supersede program standards and definitions.
2. Implementation is not feasible because a standard clearly does not apply to a particular organization. A standard may thus be deemed “not applicable by function” if it is based on a premise that is inconsistent with the agency’s method of operation. Standard 42.4, for example, addresses the operation of special purpose motorized vehicles, vessels and aircraft. This standard does not apply to agencies that only use patrol vehicles.
3. The standard applies but has been specifically waived by the Accreditation Council (see section 6035.4 of the Accreditation Program Rules and Regulations).

In each of these cases, an agency that receives an exemption will still be expected to establish a file folder for the relevant standard(s). The folder shall include a written directive (when called for by the standard); and either proof of the agency’s inability to comply (such as a copy of the collective bargaining agreement or a memo from the chief indicating that the agency does not have the capacity to comply with the standard) or a description of how a standard is met even if the agency itself does not complete the function (such as an agreement with the sheriff’s office or another neighboring agency). The documentation should clearly demonstrate why implementation was not required or not possible.

Some standards address functions that an agency may not perform but which are performed by others on the agency’s behalf. Standard 50.6, for example, governs the use of technical aids for the detection of deception. This standard does not apply to agencies that never use aids of this type. Agencies that do use them, however, are responsible for verifying that the examiners are properly trained regardless of where the examiners are employed. Specific procedures must be in place to ensure that all requirements set forth in the standard are being met.

Officials who feel that a standard does not apply to their agency are encouraged to contact the Office of Public Safety (OPS) prior to the assessment. If OPS program staff agrees, the agency will be invited to write a letter to program personnel officially seeking a finding that the standard is not applicable. Program staff will respond in writing, and agency officials should place the letter in the appropriate standard folder.

Assessors may also determine that a standard does not apply. Assessors who reach such a conclusion during their on-site visit shall confer with OPS program staff and place a note in the appropriate standard file folder. In addition, the team leader shall include a discussion of the team's finding in the report that is submitted for the Accreditation Council's review.

The assessment team leader shall call Accreditation Program staff at OPS while still on-site if the assessors are uncertain about whether or not a particular standard applies. Staff will then issue their opinion after speaking with the team leader and, if necessary, the Deputy Commissioner in charge of the Office of Public Safety and an official of the agency being assessed. If the chief law enforcement officer does not agree with a finding that a given standard does apply, he/she may appeal verbally or in writing when the Council meets to consider the agency's application for accreditation. The decision of the Council shall be final.

Finally, it is important to note that a "not applicable" ruling is only valid under the circumstances that were reviewed at the time the ruling is given. If the circumstances should change in a way that would make the standard apply, the agency must implement all procedures necessary to establish full compliance with the standard in question. Officials are also expected to make an appropriate note of the change and their subsequent actions in the agency's next Annual Compliance Survey.

This policy was approved by the State Law Enforcement Accreditation Council on March 12, 1998.
Revisions to this policy were introduced to the council on September 13, 2012.

ACCREDITATION ASSESSMENT AGREEMENT

On behalf of the _____(name of agency), I hereby request an on-site assessment pursuant to the requirements set forth by the New York State Law Enforcement Accreditation Council. In making this request, I formally certify that:

- (1) The policies and procedures needed to meet all program standards have been fully implemented and in effect for a minimum of three months.
- (2) All revisions in our agency's Policy and Procedure Manual have been distributed to appropriate personnel and an orientation of all personnel to the new procedures has been completed.
- (3) All forms or logs referred to in our agency's Policy and Procedure Manual are available for review by the assessors and have been in use for a minimum of three months.
- (4) There is a separate folder available for review for each of the program standards. Each folder contains at a minimum:
 - a. A copy of the relevant page from the Standards and Compliance Verification Manual. This page reprints the individual standard and contains a list of suggested strategies which agencies can use to demonstrate compliance;
 - b. An original Standard Compliance Report with NCR copy attached that identifies the specific ways (documentation, interviews, etc.) in which the agency can show that it has met the intent of the standard;
 - c. A copy of all departmental policies and procedures that address the standard in question: and
 - d. Supporting documentation (sample forms, job announcements, lesson plans, etc.) which clearly demonstrates that all components of the standard have been fully implemented.
- (5) The agency has done a comprehensive internal review.

Furthermore, I agree to be present and available to assess potential problems throughout the entire period of the on-site assessment. Key personnel are identified by name below and will also be present and available during the entire period of the on-site assessment to answer any questions that the assessors may have.

Program Manager: _____
Training Officer: _____
Union Representative _____
Records Clerk _____
Property Officer: _____
Evidence Technician: _____
Personnel Officer: _____
Fiscal Officer: _____

(Assessors may want to interview other department personnel as well, but those listed above **must** be available).

Additionally, I have made the necessary arrangements to ensure the assessment team will have adequate work space and access to a telephone.

Should some unforeseen event occur that impacts this agreement in any way, I will contact the Office of Public Safety, Accreditation Program at once and request that the assessment be postponed until the agency is again in full compliance.

_____ Signature of Chief Law Enforcement Officer

_____ Date

LAW ENFORCEMENT ACCREDITATION PROGRAM COST / RESOURCE WORKSHEET

PHYSICAL RESOURCES

AVAILABLE AND AUTHORIZED

Office space	9
File cabinet(s)	9
Access to:	
Computer	9
Printer.....	9
Photocopier	9

POTENTIAL COSTS TO IMPLEMENT / MAINTAIN STANDARDS

Building enhancement	
Security and Control (Std. 7.1).....	\$ _____
Sex Offense Victims (Std. 29.5).....	\$ _____
Equipment:	
Safeguarding Cash (Std. 5.3).....	\$ _____
Vests (Std. 41.1)..... x # vests @ \$ _____ =	\$ _____
Manager training and travel.....	\$ _____
Office supplies	
File folders, Xerox paper. etc.....	\$ _____
Personnel	
Psychological Screening (Std. 12.4).....	\$ _____
Background Investigation (Std. 12.5).....	\$ _____
Miscellaneous	\$ _____
Printing SOP manual.....	\$ _____
Training	
Field Training (Std. 32.4).....	\$ _____
Length and Content, In-Service (Std. 33.1).....	\$ _____
Specialized Training (Std. 33.3).....	\$ _____
Annual Supervisory Training (Std. 34.2).....	\$ _____
TOTAL.....	\$ _____

STAFF NEEDS:

Has the CLEO given the program manager reasonable time to complete this project in a timely manner?

**NEW YORK STATE LAW ENFORCEMENT
ACCREDITATION PROGRAM**

STANDARD COMPLIANCE REPORT / POLICY ADVISE

FOR AGENCY USE:

Agency: _____
Standard: _____
Prepared by: _____

Method of Compliance: _____ Written directive (must be attached)
_____ Written documentation (must be attached)
_____ Interview(s) (specify names and titles)
_____ Observations
_____ Waiver (attach approval from Council)

Identify source(s) and explain:

C.L.E.O. (or designee) Signature: _____ Date: _____

ASSESSOR USE ONLY:

Compliance: _____ Noncompliance: _____

Remarks: _____

Assessor Signature: _____ Date: _____

If noncompliance: Team Leader Signature: _____

Date C.L.E.O. (or designee) notified: _____ Time: _____

If documentation accepted: Team Leader Signature: _____

Date C.L.E.O. (or designee) notified: _____ Time: _____

Comments: _____

CONTENTS OF FILE FOLDER

1. COPY OF STANDARD

- Π PAGE(S) TAKEN FROM COMPLIANCE VERIFICATION MANUAL
- Π STAPLE PAGE(S) TO INSIDE (LEFT HAND SIDE) OF FOLDER

2. A STANDARD COMPLIANCE REPORT

- Π THIS MUST BE SIGNED BY THE CLEO
- Π PLACED ON TOP OF DOCUMENTATION IN FOLDER
 - T TOP HALF COMPLETED BY AGENCY DURING SELF ASSESSMENT
 - T BOTTOM HALF IS COMPLETED BY ASSESSORS TO INDICATE WHETHER OR NOT AGENCY HAS DEMONSTRATED COMPLIANCE

3. WRITTEN DIRECTIVES

- Π GENERAL OR SPECIAL ORDERS
- Π STANDARD OPERATING PROCEDURES
- Π POLICIES & PROCEDURES
- Π DIRECTIVES, RULES AND REGS

4. OTHER WRITTEN DOCUMENTATION

- Π REPORTS
- Π FILES
- Π LOGS
- Π LESSON PLANS
- Π PERSONNEL FILES
- Π EVALUATIONS