NEW YORK STATE | Law Enforcement Agency Accreditation Council

New York State
Law Enforcement Accreditation Program

STANDARDS AND COMPLIANCE VERIFICATION MANUAL

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September 2015

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New York State Division of Criminal Justice Services
80 South Swan Street, Albany, New York 12210

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Prepared by

New York State

DIVISION OF CRIMINAL JUSTICE SERVICES

Office of Public Safety

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AUTHORITY AND DISCLAIMER

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

The program is offered to the law enforcement community for use on a voluntary basis. The standards are not intended to replace or circumvent any legal requirement that may apply to individual agencies. The Accreditation Council recognizes that state and local laws, Codes, Rules and Regulations, and current bargaining agreements are binding in nature and take precedence over program standards and definitions.

Key terms are defined in the Glossary beginning on page 165. These are offered solely for the purpose of clarifying the intended scope and purpose of program requirements.

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LAW ENFORCEMENT AGENCY ACCREDITATION PROGRAM OVERVIEW

Program Basics

The **New York State Law Enforcement Agency Accreditation Program** was established as a voluntary program that would provide law enforcement agencies with a mechanism to evaluate and improve the overall effectiveness of their agency and the performance of their staff. Accreditation is formal recognition that an agency's policies and practices meet or exceed the standards established by the council in the areas of administration, training, and operations.

Article 36, § 846-h of the New York State Executive Law establishes the *Law Enforcement Agency Accreditation Council* (the council). The council is the authoritative body responsible for guiding the direction of the program; developing model standards designed to promote excellence and professionalism in the field of law enforcement; and developing policy to establish program rules and expectations. The council meets quarterly to conduct business, including awarding accreditation to agencies that have demonstrated that they meet the program requirements and are compliant with the standards.

The Division of Criminal Justice Services (DCJS) Office of Public Safety (OPS) administers the program in accordance with the council policies. Accreditation Unit staff members provide training to members of agencies seeking to become accredited; and to assessors, who are independent contractors assigned to verify an agency's compliance with program standards. In addition, OPS program staff members develop resource materials; provide technical assistance to both applicant and accredited agencies to assist them in meeting their goals; conduct site visits of accredited agencies; and provide support-staff services to the council.

The program is made up of 110 different standards, as outlined in this **Standards and Compliance Verification Manual.** Of the 110 total standards, there are 51 Administration, 12 Training, and 47 Operations standards, as described below:

- **Administration** standards encompass such areas as general management, personnel, and relationships with other agencies. They also address organizational issues such as the agency's mission, the delineation of responsibility, and delegation of authority.

- **Training** standards incorporate many requirements that have already been established by the State's Municipal Training Council. The standards are divided into four categories: Basic, In-service, Supervisory, and Records.

- **Operations** standards impact the ways in which agencies conduct the bulk of their crime fighting responsibilities. Major topics include patrol, traffic, criminal investigations, and unusual occurrences.

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

Composition of the Standards

- **Standard** - the actual **Standard** is always in bold font. Agencies are required to meet every component of each standard to be considered in compliance.

- *Commentary* - many of the standards are accompanied by an italicized *Commentary* which offers background information, clarifies the intent of the standard, and provides guidance on implementing the standard in some instances. For more information, please see the Council Policy, *The Role of Commentaries in Establishing the Intent of Program Standards*.

- Compliance Verification Strategies - each standard is accompanied by Compliance Verification Strategies, the section below the box. Compliance Verification Strategies provide agencies (and assessors) with examples of what can be provided or reviewed to demonstrate compliance with the standard. Agency staff should use these strategies as a guide when determining what to include in the file folder or have available when the agency is assessed.

Participating agencies are expected to implement all standards in place during their period of accreditation. Please refer to the Council Policy, *Program Standards that Do Not Apply to Every Agency* for information on exceptions.

It is important to note that while the standards generally indicate what must be done to earn accreditation, the chief law enforcement officer has considerable flexibility in determining how the agency will implement the specific requirements needed to comply with the standards. Program assessors have been advised to expect variation in agency policies and procedures when conducting assessments.

Becoming an Accredited Law Enforcement Agency

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

PROGRAM DEVELOPMENT: A program manager must be appointed to oversee development and then maintenance of the program. Generally, Program Manager Training is held at least once or twice per year, and it's important that any newly appointed program manager attend so they are familiar with the program requirements. Chief law enforcement officers and other command staff are also encouraged to attend since their involvement is crucial to the success of the program.

The program manager is responsible for ensuring the agency has in place policies or procedures to meet every standard. They may begin by identifying standards that are already met by existing policies/practices within the agency and then work toward developing policies for those standards that are not met through existing policy. In general, agency staff can expect three levels of policy development:

1. If a current policy or practice meets a standard(s), preparation may be as simple as the chief law enforcement officer signing off on the policy to verify it is still in effect.

2. If a current policy or practice is in place that addresses portions of a standard(s) but not every component, adjustments to the current policy/practice will need to be made to meet the standard.

3. Many times, brand new policies and/or procedures need to be developed and implemented to meet the standards.

All policies related to accreditation standards must be fully implemented and distributed to affected staff no less than 90 days prior to an agency undergoing an on-site assessment. (See the Council Policy, *Dissemination of Written Directives* for more information.)

Finally, file folders for each standard must be developed, as they are the mechanism by which the program manager can organize the standards, policies, and documentation; and they serve as the main method by which the assessors will verify compliance with the standards. 'Hardcopy' file folders and electronic files are both acceptable means of documenting program compliance.

ASSESSMENT: Once an agency has developed and implemented policies and procedures that are aligned with the program standards and created file folders that contain proof of compliance, OPS program staff will coordinate an 'on-site' assessment. The assessments are conducted by independent assessors that have significant experience with the accreditation program. Each assessor that DCJS contracts with is required to meet minimum qualifications; be approved by the council; undergo training by DCJS; and follow specific guidelines to ensure that every agency is assessed objectively and equally.

Agencies are evaluated on their policies and practices **as they pertain to the standards**. The methods that will be used to determine compliance are:

- **Evaluating Written Directives for Compliance with Standard.** Written directives can include general or special orders, standard operating procedures, policies, procedures, or rules and regulations.

- **Documentation of Compliance.** Assessors will look for proof in the file folders that the written directives are up-to-date and are being properly implemented by agency personnel. Proof may include, but not be limited to, reports, files, logs, lesson plans, incident reports, personnel files, and performance evaluations.

- **Interviews with Agency Staff.** Assessors will interview department members – some that are identified in advance by the chief law enforcement officer and others at random - to evaluate their familiarity with written directives for particular standards. Staff members identified by the agency head prior to the on-site assessment are expected to be available to the assessors.

- **General Observations.** This involves verification of standard compliance through direct observation by the assessors (for example, the evidence storage facility.)

Prior to the on-site assessment, a *Standard Compliance Report* (page 18 of this manual) must be completed for every standard. This form is intended for use by both agency staff and the assessors, enabling both parties to quickly determine how compliance is being met.

Assessments are not intended to be adversarial. The assessment team may at times have to work a bit harder to help an agency correct minor errors in their policies and/or documentation, and they will likely use this as an opportunity to provide agency program staff with additional training on program requirements. This is intended to be helpful and give a new agency a better understanding of the program. Minor deficiencies that can be easily corrected on-site generally won't keep the team from recommending accreditation to the council. However, agencies that require a great deal of additional work to bring them into compliance could face having to delay achieving their status of accreditation until they have more time to spend preparing their policies and files. OPS program staff members can assist in determining an agency's readiness for assessment. Also, most assessors cite that agencies that have had a mock assessment conducted prior to their assessment are better prepared, so the council strongly encourages this as a final task in the preparation process.

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

ACCREDITATION: The Law Enforcement Accreditation Council meets quarterly (in the months of

March, June, September and December.) Agencies that are recommended for accreditation will be invited to attend the next scheduled meeting to receive their Certificate of Accreditation upon a vote of approval by the council. Agencies are accredited for a period of five years.

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

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

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

DCJS RESOURCES FOR AGENCIES SEEKING ACCREDITATION

There are a variety of resources available to both agencies seeking to become accredited and those seeking to maintain that status. All agencies, whether accredited or simply those that have submitted an application, are assigned an Accreditation Unit staff member as a single point of contact. Your assigned staff member will be available to answer questions, provide guidance and information about the program, and, in some cases, visit your agency to provide on-site technical assistance. All agencies are provided with the name and contact information of your assigned staff member.

In addition to Accreditation Unit staff, the Division of Criminal Justice Services webpage provides a wide range of information, forms and publications to assist agencies in their accreditation journey. From the main DCJS webpage – www.criminaljustice.ny.gov – on the left side of the page under **Law Enforcement**, click on "Accreditation". Once you are on the Accreditation Introduction page, you can navigate through the resources by using the Local Menu on the right side of the page. There you will find information related to:

- Program History;
- The Accreditation Process;
- The Accreditation Council;
- List of Accredited Agencies, and;
- Frequently Asked Questions.

Also available are a variety of forms and publications including:

- The Initial Application and Participation Agreement;
- The Assessment Agreement (to be used when your agency is ready for an assessment);
- The Master Plan;
- The Log Sheet;
- The Law Enforcement Accreditation Council Policy Manual, and;
- The Implementation Guide.

The DCJS Accreditation Unit Staff strongly encourages agencies seeking to become accredited to familiarize themselves with these and other forms and publications. Of special importance is the **Council Policy Manual**, which outlines much of what an agency must do to become and stay accredited.

MUNICIPAL POLICE TRAINING COUNCIL RESOURCES

The New York State Municipal Police Training Council (MPTC) adopts model policies and guidelines in an effort to assist the law enforcement community. While agencies are not mandated to adopt these policies or follow the guidelines, they can be used in whole or in part to provide a sound basis for policy and procedural development.

The model policies and guidelines listed here, along with any new ones adopted after the release date of this manual, may be obtained through the eJusticeNY Integrated Justice Portal or by contacting DCJS at (518) 457-2667 and selecting option 1.

MPTC Model Policies

Administration and Maintenance of Intranasal Naloxone
This policy establishes broad guidelines and regulations for the use of naloxone by trained law enforcement personnel to treat and reduce injuries and fatalities due to opioid-involved overdoses.

Body Worn Camera Model Policy
Provides a template for the use of body-worn cameras including when they should be utilized and how the information captured by the cameras should be stored and protected.

Facial Recognition
The purpose of this policy is to provide guidance to law enforcement agencies in developing written policies and procedures regarding the use of facial recognition technology.

Human Trafficking
This policy is designed to provide guidance to law enforcement agencies on recognizing, communicating with, and assisting human trafficking victims.

Identification Procedures: Photo Arrays and Line-Ups
This policy is designed to ensure that law enforcement agencies conduct fair and reliable eyewitness identifications.

Investigations of Hate Crimes
This policy is designed to aid officers in identifying and investigating hate crimes. A swift and strong response by law enforcement can aid in stabilizing and calming the community and assisting the victim(s).

Law Enforcement Domestic Incident Model Policy
Provides law enforcement agencies with a comprehensive model policy for responding to domestic violence calls, which can be among the most dangerous incidents for officers to respond to. The MPTC model policy is current with all applicable laws and regulations.

License Plate Reader
This policy was developed to assist agencies in the storage, retention and sharing of information gathered using this technology.

Police on Police Shootings
This policy provides law enforcement agencies with guidance on the conduct of officers in dealing with incidents involving uniformed officers encountering plain clothes or off-duty officers.

Public Safety Psychological Exams
Provides guidelines and best practices for conducting psychological assessments in law enforcement candidates.

Recording of Custodial Interrogations
This policy provides guidelines for the electronic recording of suspects' statements while in custody and the associated use, management, storage and retrieval of these recordings.

Responding to and Interacting with Persons with Disabilities
This policy provides best practices on police interactions with persons with disabilities.

Sexual Offense Evidence Kit
This policy is designed to provide guidance to law enforcement agencies in developing written procedures for the collection, submission, notification, retention, and disposal of Sexual Offense Evidence Kits.

Social Media
This policy provides agencies with guidelines for the appropriate use of social media as sanctioned by the agency and by its employees as individuals.

Unmanned Aerial Vehicle Model Policy
This policy is intended to provide guidelines for the proper usage of these vehicles; the maintenance, storage, retrieval and dissemination of any digital multimedia evidence (DME) captured by UAVs; and to minimize risk to law enforcement personnel, the public and property during the operation of UAVs while protecting the right to privacy of citizens.

Use of Force Model Policy
This comprehensive policy provides agencies with a template for sound use of force policies including when force may be used and when it is prohibited; the type of force that is allowed to be used; recording and reviewing use of force incidents; and recommended training on use of force. **As of June 2019, agencies are required to adopt Use of Force Policies consistent with the MPTC Model Policy.**

MPTC Recommended Guidelines

Recommended Guidelines for the Use of Conducted Energy Devices
Conducted energy devices have become a popular tool for subduing a suspect who is violent or non - compliant; however, despite their usefulness as a less lethal way to obtain compliance, they are not without risk. The *Recommended Guidelines for the Use of Conducted Energy Devices* provides law enforcement agencies with information that will assist them in using these devices in a manner that maximizes their efficiency and minimizes the likelihood of unintended consequences, thereby protecting both suspects an d officers from serious injury.

COMPLIANCE AUDITS AND CRITICAL STANDARDS

In 2011, changes to the program made provisions for certain agencies to undergo a Compliance Audit, as opposed to a full reassessment, when seeking reaccreditation. A Compliance Audit consists of an assessment of all approved Critical Standards and no less than 20 other 'essential' standards (any standard that has not been designated as a critical standard). The approved Critical Standards are listed on the next page and are designated throughout this manual.

Critical Standards are those that have historically had the highest degree of liability for a law enforcement agency or those that have been problematic in terms of being implemented properly by accredited agencies. Agency accreditation program staff should familiarize themselves with the Critical Standards so as to ensure that the files are always up-to-date and appropriately documented.

Despite the new Compliance Audit procedure, all accredited agencies must continue to maintain their program files for all standards as outlined in the council policy *Agency Responsibilities Following Accreditation.* This is important because a) each assessor will determine just prior to their file review which of the essential files they want to review; b) assessors have the discretion to ask to review additional files if time permits or if they believe it's necessary to ensure compliance with the program; c) if the assessor conducting the compliance audit determines the files they have reviewed are insufficient, they can recommend that the compliance audit be converted to a full reassessment, and; d) not every agency will be eligible to undergo a compliance audit every time they are reassessed.

For more information on the Compliance Audit, please refer to the council policy entitled *Reaccreditation*.

New York State Law Enforcement Accreditation Program

CRITICAL STANDARDS

The following Critical Standards are to be used in conjunction with the Law Enforcement Accreditation Council Reaccreditation Policy. These standards are required to be reviewed as part of all compliance audits. The list represents the standards that have historically held the highest potential for liability to a law enforcement agency.

PLEASE NOTE - accredited agencies must establish and maintain compliance with all program standards in order to maintain their accredited status.

ADMINISTRATIVE STANDARDS

2.3 – Written Directives
2.7 – Responsibility and Authority
5.3 – Safeguarding Cash
6.2 – Safeguarding Agency Weapons
7.1 – Evidence and Non-Agency Property Management
7.3 – Property Audit and Inventory Management
8.7 – Records Management System
12.5 – Background Investigation
13.1 – Performance Evaluation System
14.1 – Rules of Conduct
14.4 – Disciplinary System
14.7 – Sexual Harassment
20.1 – Use of Force: General
25.1 – Internal Affairs Function

TRAINING STANDARDS

33.1 – In-Service Training – Length and Content

OPERATIONAL STANDARDS

43.4 – Vehicle Pursuits
43.8 – Health of Persons in Custody
44.1 – Domestic Incidents
50.1 – Criminal Investigations
58.2 – Disaster Plans

Approved by the Law Enforcement Accreditation Council on June 7, 2011.
Revisions approved by Law Enforcement Accreditation Council on 6/18/2015, 9/17/15, 9/5/19, and 9/3/20.

New York State Law Enforcement

Accreditation Program

Standard Compliance Report / Policy Advice

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:

Assessor Printed Name:

Team Leader Signature: Date:

CLEO (or designee) Signature (if non-compliant):

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NEW YORK STATE
LAW ENFORCEMENT ACCREDITATION PROGRAM
STANDARDS

ADMINISTRATIVE STANDARDS

I. ADMINISTRATION

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Section 1 – Agency Role

New York State Law Enforcement Accreditation Program

1.1 Mission

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

Compliance Verification Strategies

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

1. A copy of the written mission statement is available for review.

2. The mission statement is posted in conspicuous places in the department such as the lobby, roll call room, or staff break room.

3. Interview(s) with agency personnel to verify that they clearly understand the agency's role and authority.

1.2 Goals, Objectives and Evaluation of Goals

ADMINISTRATION

STANDARD 1.2 **The agency develops annual goals and objectives that are available to all personnel. Each year the goals and objectives will be reviewed and a written evaluation of the degree to which the agency has attained its goals and objectives will be prepared 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 each year.*

When developing goals and objectives, bear in mind that a goal is an aim; something that is desired that has not already been accomplished. An example of a goal is "The ABC Police Department will establish a K9 Unit." It speaks to establishing something new, something to work towards. "The ABC Police Department will continue to utilize its K9 Unit when appropriate." is NOT a goal; it is simply a statement that continues business as usual and gives an agency nothing to strive for.

An objective establishes a series of concrete steps to take to meet the goal. They are actionable and measurable. Objectives to meet the goal of establishing the K9 Unit might include 1) Assign and train a police officer; 2) obtain a K9 officer; 3) Equip a K9 patrol vehicle; etc. Objectives support the attainment of the goal.

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 current list of agency goals and objectives are available for review.

2. Interview(s) with agency personnel to verify that the information has been made available for review.

3. Prior years' goals and objectives, and the evaluations of those goals, are available in cases of reaccreditation to demonstrate that they are updated and evaluated annually.

Section 2 – Organization

New York State Law Enforcement Accreditation Program

2.1 Organizational Structure

ADMINISTRATION

STANDARD 2.1 **The organizational structure of the agency is clearly defined, up-to-date, and available to all members of the agency through:**

A. An organizational chart which reflects the chain of command and lines of communication within the agency and is organized in a hierarchy, and:

B. A staffing table which provides information about the number of all personnel (including sworn and non-sworn), by rank or job title, within each component of the organization.

Commentary: *When an agency changes its organizational structure, both the organizational chart and staffing table should be updated to reflect the changes.*

Compliance Verification Strategies

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

1. A copy of the agency organizational chart is available f or review. It should be complete and up-to-date, and include the chain of command and lines of authority for communication.

2. A copy of the agency staffing table, which illustrates the agency's authorized strength and units or components by rank and title, is available for review.

3. If the authorized strength is established through local laws or collective bargaining agreements, copies of the documents are provided.

4. Interviews with agency personnel to verify their knowledge of the chain of command and lines of authority.

2.2 Job Classifications

ADMINISTRATION

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

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

Compliance Verification Strategies

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

1. The statements of duties and responsibilities associated with each job classification or assignment are available for review.

2. Interviews and/or observations of agency personnel can help verify that they understand the duties and responsibilities associated with their job classification.

2.3 Written Directives - CRITICAL STANDARD

ADMINISTRATION

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

A. Provides procedures describing how written directives are:

1. **formatted**
2. **indexed**
3. **purged**
4. **updated, and**
5. **disseminated**

B. Vests in the chief law enforcement officer or designee(s) the authority to issue, modify or approve written directives;

C. Requires that all written directives are reviewed at least once during the five-year period of accreditation;

D. Provides a procedure for staff review of proposed written directives prior to their implementation; and

E. Requires a procedure to assure the receipt of the directives by all affected components and personnel.

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

Compliance Verification Strategies

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

1. A description of the system used by the agency is available for review.

2. Agency files containing records and/or logs used to track the development of written directives are provided. The files may include approved written directives that are appropriately signed and dated; and records that track the development of written directives, (e.g., from initial proposals through reviews, updates, revisions, final approval, etc.).

3. The method by which written directives are disseminated is described, and proof is provided that agency personnel have received these directives (e.g., signed or initialed receipts).

4. Assessors may randomly review the manuals of agency personnel to ensure that the manuals are current and up-to-date.

2.5 Map of Patrol Areas

ADMINISTRATION	
STANDARD 2.5	**The agency, for purposes of appropriate distribution of patrol personnel, periodically reviews staffing needs and maintains a map of its service area organized into identified patrol area(s) which suit community needs.**
Commentary:	*This standard encourages the agency to distribute personnel according to calls for service, geographic limitations, community needs and personnel limitations.*

Compliance Verification Strategies

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

1. An up-to-date map of the agency's service area is available for review. (The service area map indicates how patrol personnel are assigned according to patrol areas, i.e., how the map is utilized for the purpose of distributing patrol personnel.)

2. Provide a description of the method used to determine and/or update patrol area boundaries.

3. Outdated service area maps are provided to verify that the agency periodically updates or reviews such maps.

2.7 Responsibility and Authority - CRITICAL STANDARD

ADMINISTRATION

STANDARD 2.7 **The agency has a written directive requiring responsibility be accompanied by commensurate authority. The directive shall include provisions for:**

A. Each employee being accountable for the use of delegated authority;

B. Supervisory personnel being accountable for the performance of employees under their immediate control;

C. All sworn personnel being required to obey any lawful order of a superior transmitted by any duly authorized agent of that superior, regardless of rank involved, and;

D. Procedures to be followed when a conflicting order or directive is received including when to notify command officers of conflicting orders.

Commentary: The intent of this standard is to establish guidelines for the delegation of authority, and provide open communication among ranks without compromising emergency operations.

At every level within the agency, personnel should be given the authority to make decisions necessary for the effective execution of their responsibilities. Each officer is responsible for acts and omissions while on duty and must be accountable for this authority. In addition, having a procedure on how to handle conflicting orders will provide personnel with the appropriate guidance in situations where immediate obedience may be necessary in order to protect life or protect the welfare of the public.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their understanding of and compliance with this standard.

Section 3 – Health and Safety

New York State Law Enforcement Accreditation Program

3.1 Infectious Diseases

ADMINISTRATION

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

A. The designation of a position responsible for the coordination of the infectious diseases policy/procedures;

B. Precautions associated with public safety personnel in the performance of their duties;

C. Protective equipment;

D. Reporting procedures for possible exposure;

E. Provisions for disposal of contaminated materials;

F. Provisions for medical care;

G. Training; and

H. Record keeping confidentiality.

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

Compliance Verification Strategies

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

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

II. INTERNAL ADMINISTRATION

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Section 5 – Fiscal Management

New York State Law Enforcement Accreditation Program

5.2 Accounting – System and Responsibility

ADMINISTRATION

STANDARD 5.2 **The agency has a written directive or other documentation that outlines an accounting system for its budget including:**

A. Designating the position or component responsible for fiscal management, and;

B. The preparation of at least quarterly status reports showing:

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

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

Compliance Verification Strategies

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

1. The written directive or other documentation describing the internal accounting system used by the agency is provided.

2. Copies of agency financial reports are available. The reports are up-to-date and contain all elements required by the standard.

3. All budget forms and documents used in the preparation of financial reports are available for review.

4. Interview(s) with personnel responsible for preparing these quarterly status reports to verify staff knowledge of and compliance with the system.

5.3 Safeguarding Cash - CRITICAL STANDARD

ADMINISTRATION

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

A. **Maintenance of an allotment system or, alternatively, records of appropriations among organizational components;**

B. **Preparation of financial statements;**

C. **Internal monitoring; and**

D. **Identification of position(s) authorized to accept or disburse funds.**

Commentary: Procedures developed to implement this standard will ensure that cash is properly handled within the agency. The system may be simple or complex. Examples of receipt and disbursement of cash may include, but not be limited to, report fees, bail transactions, petty cash, and informant and drug funds.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with personnel authorized to manage funds may be conducted to verify their knowledge of and compliance with the directive.

3. Records, financial statements, and any forms or records used for internal monitoring are available for review.

4. Observation of the facility where cash is kept and evaluate safeguarding techniques.

Section 6 – Agency Property

New York State Law Enforcement Accreditation Program

6.1 Requisitioning Property

ADMINISTRATION

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

A. **The directive must also outline procedures for inventory control of property, equipment and other assets owned and used by the agency; and**

B. **Designates the position(s) responsible for the management, accountability, distribution and issuance of agency-owned property.**

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. A review of agency records to verify that procedures mandated by the written directive are being followed.

3. Interview(s) with the personnel responsible for this function to verify their knowledge of and compliance with the directive.

4. Inspection of agency property, equipment and other assets to verify that inventory records are accurate.

6.2 Safeguarding Agency Weapons - CRITICAL STANDARD

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews with agency personnel to verify their knowledge of and compliance with the directive.

3. Observation of the armory or similar setting to verify compliance with the standard.

Section 7 – Non-Agency Property

New York State Law Enforcement Accreditation Program

7.1 Evidence and Non-Agency Property Management - CRITICAL STANDARD

ADMINISTRATION

STANDARD 7.1 **The agency has a written directive that details its procedures for the collection, maintenance of chain-of-custody, documentation, classification, labeling, packaging, secure storage, transfer from and return to evidence storage, and disposition of all evidentiary and non-agency property within its custody. The directive designates the position(s) accountable for the control of all such property. The directive requires that the collecting person(s) enter the property into secure storage prior to the end of the shift in which it was obtained.**

A. **A chain-of-custody record shall be maintained from the time of collection/receipt to final disposition/purging. The record shall detail the name and signature (or equivalent identification) of each person or name the location (e.g., evidence locker, impound area) taking possession of an item of evidence, the date of receipt, transfer, or destruction, and the description or unique identifier of the evidence.**

B. **The labeling of property must include as much data as possible, to include information such as inventory/control number, incident/case number, time and date of seizure, source/owner of item, character of incident, description of item (i.e., make, model, serial number, etc.), and the storage location of the item. If an agency utilizes computer-generated, barcoded labels, the incident/case number must also be printed on the label in alphanumeric format.**

C. **Documentation of such property must include inventory/control number, incident/case number, time and date of seizure, source/owner of item, incident type, description of item, type of item (e.g., evidence, found property, safekeeping), persons' name and/or identification number of person collecting the item, investigating officer, storage location, and purge review date.**

D. **The directive must address the procedures for the packaging of items so that evidence is not permitted to be tampered with, contaminated, or contaminate other evidence.**

E. **Records required pertaining to transfers from and return to evidence storage (e.g., for crime laboratory processing, latent print analysis, judicial proceedings) must include descriptive information for the item, date and time of transfer, the person's identity who receives the item(s), the reason for the transfer, the name and location to which the item was transferred, and a complete list of examinations performed (if transferred for testing).**

F. **Disposition documentation required by the directive must include the position(s) authorized to approve disposal, property retention schedule, witness requirements, and authorized method(s) of destruction. Disposition procedures shall include the destruction of contraband, due diligence in contacting property owners, return of items to the owner, auction of non-contraband evidence and non-agency property, and the transfer of items to other law enforcement agencies.**

G. **All money, firearms, controlled substances, and high-value items must be adequately secured by or within secondary secure storage (e.g., safes, caged areas, locked cabinets, wall-mounted racks with security cable/wire rope) inside of designated property storage areas.**

H. **Right of Refusal must be addressed in the written directive to include identifying problems with submitted items, the method(s) to obtain item(s) from property/evidence room for correction, and the procedure required to resubmit corrected item(s) to the property/evidence room.**

ADMINISTRATION

STANDARD 7.1

Commentary: *Nothing in this standard should be construed to indicate the necessity to develop or implement a computer based property management system by any agency. The requirements set forth in the standard are applicable to both handwritten and computerized property management methods. Chain of custody may be maintained without written signatures in computer based evidence management systems.*

The right of refusal allows an evidence custodian to refuse to accept evidence submissions. It is a tool provided to the evidence custodian by a chief executive to maintain good practices in evidence management. It gives them clear authority to ensure necessary data (chain of custody, location of seizure) is completely documented, evidence is packaged pursuant to procedures, safety is maintained (submission of accelerants for storage in a property room), and provides consistency among agency staff.

Agencies may consider developing a Property and Evidence Room manual that outlines the responsibilities and tasks for personnel within the property / evidence room. Other topics that may be included in the manual are staffing, hours of operation, room design, alarms & security, and audits, inventories & inspections.

Compliance Verification Strategies

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

1. A copy of the directive is available for review.
2. Provide records, logs or other documentation used in this system for review by the assessors.
3. Review agency files to verify that the record keeping system is consistent with agency procedures.
4. Random selection and examination of evidentiary items to verify that the procedures are being followed.
5. Interview(s) with personnel responsible for handling, storing and retrieving evidentiary items to verify their knowledge of and compliance with the directive.
6. Observation of the security measures employed.
7. Provide documentation describing any prescription drug “take back” programs the agency participates in. This should include written documentation of the dates of such programs and that the agency complied with the program guidelines.

7.2 Evidence Custodian Training

ADMINISTRATION	
STANDARD 7.2	**The agency requires that all personnel assigned the duties of property room/evidence custodian successfully complete a course in property/evidence room management within one year of being assigned such duties.**
Commentary:	*The Property / Evidence Room Management Course established by the Municipal Police Training Council is an example of a course that meets this standard. Although this standard is intended to apply to assignments made after the date of this manual, it is strongly recommended that all evidence custodians receive this training regardless of their date of appointment or how long they have been serving in that role.*

Compliance Verification Strategies

1. Copies of training records will be made available for the current Evidence Custodian and others who may have fulfilled that role throughout the period of accreditation.

2. If the current evidence custodian has not been in the position for one year, proof that the training is scheduled within that year timeframe is sufficient.

7.3 Property Audit and Inventory Management - CRITICAL STANDARD

ADMINISTRATION

STANDARD7.3 **The agency has a written directive requiring personnel not normally charged with the custody of evidentiary and non-agency property to annually perform both a sample audit and a sample inventory of all such property. The inventory and the audit are not to be conducted within four months of each other and will not include the same items unless total available sample size dictates otherwise.**

A. **The property and evidence audit shall include an inventory and a review of the property records for each item to ensure compliance with written directives. The minimum amount of property to be sampled during the audit shall be five (5) percent of the agency's total property room inventory or fifty (50) items, whichever is less.**

B. **The property and evidence inventory shall consist of an eyes-on inspection of items to ensure accountability. The minimum amount of items to be sampled during the inventory shall be ten (10) percent of the agency's total property room inventory or one hundred (100) items, whichever is less.**

C. **A single property and evidence audit of <u>all</u> property shall meet the audit and inventory requirements as noted in A and B.**

The inventories and audits must include a sampling of money, f irearms, controlled substances, and high-value items each time they are conducted.

The directive requires a sample audit, utilizing the aforementioned sample size guidelines, to be conducted whenever a new property / evidence custodian is designated.

A report shall be completed identifying the property that was inventoried and audited.

Commentary: *The audit and inventory of property may be conducted by an outside agency if desired. When determining sample items, a single item (e.g., a handgun) and a single package with multiple items (e.g., evidence bag with 50 tablets of a controlled substance) will both be considered a single item.*

<u>Agencies may conduct two audits annually versus an inventory and an audit if so desired.</u>

A Property and Evidence Audit is defined as "a review and examination of property inventory and related documentation to ensure compliance with established written directives and to recommend changes to those directives if necessary."

<u>A Property and Evidence Inventory is defined as "matching a piece of property or evidence to a list."</u>

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.
2. Interview(s) with the propertycustodian(s) can be conducted to verify that a periodic inventory does occur.
3. Interviews with personnel who are not charged with the custody of property but who have periodically performed audits.

Standard 7.3 (Continued)

4. A review of completed agency records to determine that periodic inventories are being done and the records are correct and properly annotated.

5. A review of agencyrecords or files that were completed the last time a new propertycustodian was designated.

Section 8 - Records

New York State Law Enforcement Accreditation Program

8.1 Calls for Service

ADMINISTRATION

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

A. The control number;

B. Nature of call;

C. Date and time of call;

D. Location of call;

E. Names of person(s) involved; and

F. Action, if any, taken by the agency.

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

Compliance Verification Strategies

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

1. Review of agency files of complaints/crimes, arrest and traffic accident reports to verify existence and completeness of such records.

2. Interview(s) with agency personnel to verify their knowledge of and compliance with this standard.

3. Randomly track agency records through the system to verify compliance with all components of this standard.

4. Comparison of the agency log/blotter with reports that are on file to verify compliance.

8.2 Crime Reporting

ADMINISTRATION	
STANDARD 8.2	**The agency must maintain full participation in the state Incident-Based Reporting program or the National Uniform Crime Reporting System.**

Compliance Verification Strategies

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

1. Compliance may be met by supplying copies of uniform crime report submiss ions; documentation outlining agency procedures for full participation in these systems; and/or official correspondence (e.g., letters from state agencies) that document the agency's current participation.

2. Copy of the DCJS “Use and Dissemination Agreement.”

3. Interviews with the person(s) responsible for preparing uniform crime reports.

8.5 Records Retention

ADMINISTRATION	
STANDARD 8.5	**The agency must maintain a records retention schedule, either through a written directive, a schedule, or chart, in accordance with the records retention and disposition schedule issued by the Commissioner of the State Department of Education [schedule MU-1 (9 NYCRR section 185.11) for use by city, town, and village agencies OR schedule CO-2 (9 NYCRR section 185.13) for use by county agencies].**

Compliance Verification Strategies

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

1. Documentation outlining the record keeping function should be available for review.

2. Provide a copy of the resolution passed by municipality adopting the applicable records retention and disposition schedule.

3. Provide agency records illustrating compliance with retention schedule(s).

4. Interview(s) with agency personnel involved in record maintenance to verify their knowle dge of and compliance with this standard.

8.7 Records Management System - CRITICAL STANDARD

ADMINISTRATION

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

A. **The filing and retrieving of reports;**

B. **The security of reports;**

C. **The preparation of statistical and data summaries of agency activities for planning, staffing, budgeting and public information purposes ;**

D. **Maintenance of an arrest history record on each person arrested by the agency, including as much biographical data as possible;**

E. **Supervisory review of reports for completeness and accuracy.**

Commentary: The intent of the standard is to have information readily available. It is recognized that there will be different types of systems, such as a master name index, a daily blotter or a computerized information system.

Compliance Verification Strategies

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

1. Review of agency records to verify that a record management system does exist.

2. Examples of statistical/data summaries are available for review.

3. Examples of various reports such as crimes reported, arrests, incidents, traffic accidents, number of complaints, unusual occurrences, and summonses.

4. Interview(s) with agency personnel to verify their knowledge of and compliance with specific procedures.

8.11 Sealing Orders

ADMINISTRATION

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

Compliance Verification Strategies

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

1. The documentation that establishes this process is available for review.

2. Interview(s) with agency personnel responsible for this function to verify their understanding of and compliance with this standard.

3. A review of agency files to verify that this process is being performed appropriately.

8.12 Record System for Warrants

ADMINISTRATION

STANDARD 8.12 **The agency has a written directive requiring a records system for warrants which includes:**

A. **24-hour access;**
B. **A procedure ensuring due diligence in seeking wanted persons;**
C. **A process for ensuring warrants remain current and enforceable, and;**
D. **A designated position responsible for control of the warrant system.**

Compliance Verification Strategies

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

1. Examine the warrant file system and observe the procedure used for 24 hour access.

2. Interview(s) with personnel responsible for maintaining this system to verify their understanding of and compliance with this standard.

3. Interview(s) with patrol officers to verify their knowledge of the record system.

4. If the agency is not responsible for this function, assessors may contact the appropriate agency to verify compliance.

8.13 Legal Process

ADMINISTRATION

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

This information must include, but not be limited to the following elements (when applicable):

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

Compliance Verification Strategies

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

1. Review copies of records, reports, or logs used to record service.

2. Interview(s) with personnel responsible for serving legal process to verify their knowledge of and compliance to the standard.

III. PERSONNEL

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Section 11 - Recruitment

New York State Law Enforcement Accreditation Program

11.1 Personnel Recruitment

ADMINISTRATION

STANDARD 11.1 **The agency has a written directive that outlines all components of the selection process for entry-level officers including the position(s) or other entity responsible for administering selection activities; and the position(s) or entity authorized to appoint them. The selection process will include, at a minimum, the following requirements:**

A. A job announcement must be posted for every entry-level law enforcement officer position describing the duties, minimum qualifications, the application process and noting that the agency is an Equal Opportunity Employer;

B. All candidates must pass a written test as part of the selection process;

C. All verbal and written tests used in the selection process are administered, scored, evaluated and interpreted in a uniform and non-discriminatorymanner.

Commentary: *The intent of this standard is to makesure that the general population receives adequate notice of any openings in the agency and to ensure that all individuals selected for an entry level law enforcement officer position are selected using the same criteria across the board. The Council recognizes that Civil Service rules and regulations, in particular those that apply to part-time employees, may vary among municipalities and that agencies should abide by those rules and regulations.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.
2. Copies of job announcements for every entry-level position are available for review. (Civil service announcements, provided they include the required information, are acceptable to demonstrate compliance.)
3. Documentation describing the methods by which verbal and written tests are administered, scored, evaluated and interpreted is available for review.
4. Examples of documents such as written instructions, answer sheets, practice problems, time limits are provi ded. Such components should be standardized.
5. Records of any verbal or written test results which have been scored, evaluated and interpreted according to the criteria used are available for review.
6. Interviews with personnel who have been through the sele ction process and with those responsible for the function verify that appropriate procedures were followed.
7. If the agency relies on an external organization to administer and/or process, all relevant documentation pertaining to the above is available for review.

Section 12 - Selection

New York State Law Enforcement Accreditation Program

12.1 Physical and Psychological Fitness Requirements

ADMINISTRATION

STANDARD 12.1 The agency requires that candidates accepted for law enforcement officer positions meet or exceed the following standards:

A. "Medical and Physical Fitness Standards and Procedures for Police Officer Candidates" established by the Municipal Police Training Council and/or current applicable law (9 NYCRR Part 6000).

- **A licensed physician or practitioner must use valid and non-discriminatory procedures to examine each candidate and determine if they meet this standard.**

B. Age requirements as per Civil Service Law Section 58 and/or other applicable law. (Does not apply to agencies that are permitted to appoint non-competitive police officers.)

C. An emotional stability and psychological fitness screening is conducted for all police officer candidates (e.g. new hires, rehires, lateral appointments, full-time and part-time). The evaluation must be conducted by a qualified professional.

- **In cases of part-time employees, rehires and lateral appointments, psychological testing conducted at any time by another law enforcement agency may be considered provided the candidate has maintained a valid police training certificate pursuant to General Municipal Law 209-q.**

Commentary: The purpose of this standard is to ensure that all law enforcement officers are physically and psychologically fit to be employed in the position and, to the degree possible, subjected to the same criteria for employment. The requirement of existing pre-employment psychological assessments for part-time, lateral and re-hired officers is intended to ensure all candidates employed by an accredited agency have undergone this important step at least once in their career.

Compliance Verification Strategies

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

1. Assessors may review agency personnel records to determine compliance with the standards established by the Municipal Police Training Council or other applicable law.

2. For those agencies that are not permitted to make non-competitive police officer appointments, assessors may verify that those appointments meet or exceed the standards established by the agency's civil service entity.

3. The name of the licensed physician or practitioner and components of the standard physical exam are available for review.

4. Review of agency personnel files to verify results of the physical exams are kept on file for all new hires.

Standard 12.1 (continued)

5. For lateral appointments, rehires and part-time employees, an attestation from the agencythat conducted psychological testing in the past is maintained and available for review.

12.5 Background Investigation - CRITICAL STANDARD

ADMINISTRATION

STANDARD 12.5 **The agency requires that a background investigation of each candidate for a sworn position (entry level and lateral appointments) or any civilian candidate with access to law enforcement sensitive information is conducted. An informational package consisting of written instructions and a checklist of tasks that must be accomplished is provided to each officer who conducts such investigations. A background investigation must include, but not be limited to:**

a. Fingerprint-based Criminal History Record;
b. Family;
c. Education;
d. Residences (past and present);
e. Work Record;
f. DMV Record;
g. Military History;
h. County Records such as liens and judgments;
i. Organizations and Affiliations;
j. References and Social Contacts, and;
k. Credit Record

Compliance Verification Strategies

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

1. Documentation describing the procedures for such background investigations and the type of information that is gathered is available for review.2. Review of all forms, records, or reports used for background investigations.

3. Review of agency files containing records of completed background investigations.

4. A copy of the informational package that is provided to officers who conduct such investigations is available for review.

5. All documentation examined should demonstrate that background investigations are standardized (e.g., recording/reporting forms, criteria for evaluation, and instruction and task check lists for officers who use them).

6. Interview(s) with agency personnel who serve as background investigators to verify their knowledge of and compliance with this standard.

12.6 Oral Interviews

ADMINISTRATION

STANDARD 12.6 Any candidate being considered for a sworn (entry level and lateral appointments) position is interviewed prior to their appointment. Such interviews will employ a set of uniform questions, and the results obtained are recorded on standardized forms. At least one person who participates in the interview process will be a sworn member of the department.

Commentary: This standard is not meant to limit the interview to specific questions but to ensure equity and uniformity in the interview process by asking all candidates the same questions so they may present their own views. It can also provide an opportunity to gather additional information that could be made available to background investigators.

Compliance Verification Strategies

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

1. Interviews with personnel responsible to verify their knowledge of and compliance with this standard.

2. The set of uniform questions utilized by the agency are available for review.

3. Examples of the standardized recording forms used by the agency are available for review.

4. Copies of the standardized rating scales used for evaluation are available for review.

5. Review of agency files containing completed records of oral interview results, standardized recording forms and evaluations.

6. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with agency policies.

12.7 Employment Record Maintenance

ADMINISTRATION

STANDARD 12.7 **The agency requires that records of all law enforcement officers who have been selected for employment are maintained for a minimum of six years after the end of their employment. Records should include, but not be limited to written exam results, physical agility test results, medical exam results, psychological findings, oral interview results and background investigations.**

Commentary: The six-year time limit is based on the records retention and disposition schedule issued by the Commissioner of the State Department of Education [schedule MU-1 (9 NYCRR section 185.11) for use by city, town, and village agencies; or schedule CO-2 (9 NYCRR section 185.13) for use by county agencies and applies to all hires, whether full-time, part-time, entry level or lateral appointment. It is recognized that agencies may not have kept such records in the past, but they must begin such record keeping for future compliance.

Compliance Verification Strategies

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

1. A listing of all past officers (including dates of termination) is provided so that asse ssors can randomly select and review personnel filesfor compliance with the State Education Law.

2. A review of personnel files to verify agency compliance.

12.8 Probation

ADMINISTRATION

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

Commentary: *Periodic evaluations during the period of probation will allow the agency to adequately assess the individual's development and progress. The council recognizes that Civil Service Rules and Regulations may dictate probationary periods for lateral appointments but strongly recommends that a period of probation be negotiated similar to that of entry level officers.*

Compliance Verification Strategies

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

1. Documentation that describes the length of probation as well as the method, criteria, and frequency of evaluation during this period is available for review.

2. Assessors may review agency files containing probationary records of officers.

3. Examples of forms or logs used by the agency to track the probationary status of officers may be provided.

4. Interview(s) with personnel who are either on probation or who have recently completed probation to determine the evaluation process they underwent.

5. Interview(s) with personnel responsible for supervising/administering the probationary evaluation process to determine their knowledge of and compliance with the probationary process.

12.9 Oath of Office

ADMINISTRATION

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

Compliance Verification Strategies

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

1. A copy of the oath of office taken by sworn personnel is available for review. It should encompass all constitutional and other requirements.

2. Forms or documents used to record the fact that the oath has been administered are available for review.

3. Interview(s) with sworn personnel to verify that they took an oath of office.

4. Interview(s) with personnel responsible for administering the oath of office may be conducted to determine their knowledge of and compliance with agency requirements.

Section 13 – Performance Evaluations

New York State Law Enforcement Accreditation Program

13.1 Performance Evaluation System - CRITICAL STANDARD

ADMINISTRATION

STANDARD 13.1 The agency has a written directive that establishes and describes an annual personnel performance evaluation system for all sworn members in the department*. The system will include:

A. The period for which their performance will be evaluated;

B. Who the rater(s) will be;

C. The criteria by which they will be evaluated;

D. The results of the evaluation;

E. A review process for contested evaluation reports; and,

F. Every rater involved with the personnel performance evaluation system must receive instruction in rating procedures and rater responsibilities as a precondition of such involvement.

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

**This standard is intended to apply to every sworn member of the department except the chief law enforcement officer and executive staff as defined by the chief law enforcement officer.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.
2. Examples of all reports, forms or logs used in this system are provided.
3. Completed evaluation forms are reviewed to verify that all aspects of the process are being implemented.
4. Interview(s) with supervisory and subordinate personnel to verify their understanding of and compliance with this standard.
5. Written documentation or lesson plans used to instruct raters are available for review by assessors.

6. Records or training rosters documenting the raters' timely instruction are available for review.

7. Interview(s) with supervisors who have received rater training to verify their understanding of the rating procedures and responsibilities.

Section 14 - Discipline

New York State Law Enforcement Accreditation Program

14.1 Rules of Conduct - CRITICAL STANDARD

ADMINISTRATION	
STANDARD 14.1	**The agency has a written directive specifying the rules of conduct and appearance for all personnel, both sworn and non-sworn.**

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews with selected personnel will verify that agency personnel understand the rules of conduct and appearance.

3. Observations of agency personnel can be conducted to verify that the policy is being followed.

14.2 Court Appearances

ADMINISTRATION

STANDARD 14.2 **The agency has a written directive regarding court attendance and professional conduct in court-related proceedings by all personnel required to attend or testify in court proceedings.**

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

Compliance Verification Strategies

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

1. A copy of the policy that establishes these guidelines is available for review.

2. Interview(s) with agency personnel to verify their understanding of and compliance with this policy.

14.3 Legislative Restrictions on Officers

ADMINISTRATION

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

Commentary: The intent of this standard is to inform all officers of the major restrictions imposed by law on police officers.

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

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

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

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

a. Acceptance of gifts having more than a nominal value.
b. Disclosure of confidential information learned in the course of official duties.
c. Receiving compensation for providing services relating to matters before an agency of which they are an employee.

The same law also imposes several affirmative duties, including:

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their understanding of and compliance with this directive.

14.4 Disciplinary System - CRITICAL STANDARD

ADMINISTRATION

STANDARD 14.4 The agency has a written directive that establishes a disciplinary system identifying the legal or contractual authority under which the system will proceed.

A. The directive specifies the procedures for the maintenance of records of disciplinary actions.

B. The directive specifies the circumstances in which an employee may be relieved from duty.

C. The directive specifies the role of supervisory and command staff in the disciplinary process and the authority of each level thereof relative to disciplinary actions.

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their knowledge and understanding of the disciplinary system.

3. Interview(s) with supervisory and command staff to verify their knowledge and understanding of their role in the disciplinary system.

14.7 Sexual Harassment - CRITICAL STANDARD

ADMINISTRATION

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with the person(s) responsible for receiving complaints and reviewing reports of sexual harassment to verify that they have a thorough understanding of their re spective roles and appropriate procedures are being followed.

Section 15 - Promotions

New York State Law Enforcement Accreditation Program

15.1 Promotional Process

ADMINISTRATION

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

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

A. The numerical weight, if any, assigned to each eligibility requirement;

B. The system of ranking eligible employees on the lists;

C. The duration of the lists;

D. Written certification of eligible employees; and

E. The system for selecting names from the lists.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with the person(s) responsible for administering the agency's role to verify that they have a thorough understanding of their role and appropriate procedures are being followed.

3. Agency files and records associated with the promotion process may be examined to verify procedural compliance.

5. If the agency relies on the Civil Service system for promotions, documentation is provided.

6. Agencies not using Civil Service guidelines for promotions will provide documentation that agency testing processes (written and oral) are administered, scored, evaluated and interpreted in a uniform, non-discriminatory manner. Examples of written tests and/or the formats used for oral tests can be provided.

7. The method(s) used to determine numerical weights and the manner in which they are assigned are described where applicable.

8. All procedures used for promotion are documented as being consistent and uniform for all personnel.

9. A copy of eligibility lists is provided.

Section 16 - Grievances

New York State Law Enforcement Accreditation Program

16.1 Grievance Procedures

ADMINISTRATION

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

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

Compliance Verification Strategies

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

1. A copy of the written directive or collective bargaining agreement addressing grievance procedures is available for review.

2. Examples of all reports, forms, records and files utilized and/or maintained in the appeal process are available for review.

3. Interview(s) with employees who are involved in the grievance process to verify that appropriate procedures are being followed.

Section 17 - Awards

New York State Law Enforcement Accreditation Program

17.1 Awards Procedures and Criteria

ADMINISTRATION	
STANDARD 17.1	**The agency has a written directive that identifies procedures and criteria for recognizing employees.**
Commentary:	*The directive may include but not be limited to letters of commendation, compensation, and awards for merit and valor.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify that personnel are aware of the directive and complying with it.

3. A copy of names, forms or other types of written documentation that would indicate compliance with this directive may be reviewed.

SECTION 18 – Death or Serious Injury of Agency Personnel

New York State Law Enforcement Accreditation Program

18.1 Death or Serious Injury of Agency Personnel - Procedures

ADMINISTRATION

STANDARD 18.1 The agency has a written directive that outlines their response to the death or serious injury of any member of the department whether in the line of duty or otherwise. The written directive must include guidelines for:

- **A. Personal notification of the family in a timely manner;**
- **B. Media Coverage;**
- **C. Transporting family members to hospitals and providing support;**
- **D. Funeral procedures (degree of ceremony based on incident type and/or family's wishes);**
- **E. Assisting the family during any court proceeding stemming from the incident;**
- **F. On-going support/services for seriously injured employees;**
- **G. On-going support/services for family members;**
- **H. Support/services for members of the department affected by the incident.**

Commentary: Having a plan in place to coordinate all of the events that follow the death or serious injury of a member of the agency is an important component to administrators' maintaining professionalism and focus during an emotionally difficult time. The plan will ensure that services and support are already identified so they may be offered in a timely manner to both members of the officer's family and the officer's colleagues within the department.

Appropriate services may include assisting the family at the hospital, supporting the family at the funeral and burial, helping the family with legal and benefits matters, counseling the family regarding finances and other possible problems, supporting the family during criminal proceedings (if any), providing ongoing support to the seriously injured employee, and maintaining long-term contact with the family to stay informed of their needs. Appointing one individual member of the department as a single point of contact to the family and/or employee is ideal and should be considered if agency resources allow.

If an agency is limited in available resources, they may utilize their municipality's EAP or other outside resources to meet this standard.

Compliance Verification Strategies

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

1. A copy of the directive is available for review.

2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.

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IV. USE OF FORCE

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Section 20 – Use of Force

New York State Law Enforcement Accreditation Program

20.1 Use of Force: General - CRITICAL STANDARD

ADMINISTRATION

STANDARD 20.1 The agency has a written directive consistent with the Municipal Police Training Council Use of Force Model Policy pursuant to Executive Law 840 (4)(d)(3), Executive Law 837-t and 9 NYCRR 6058, that requires:

A. Personnel use only the amount of force that is objectively reasonable and under the circumstances for the officer involved to effect an arrest, prevent an escape, or defend themselves or others;
B. Documenting, reviewing, investigating, and reporting use of force; and
C. Conspicuous posting of current use of force directive(s) on the agency's public website.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review and compared to the MPTC Model Policy for consistency.

2. Interview(s) with agency personnel to verify that they are aware of and complying with the directive.

3. The directive is conspicuously posted on the agency website.

20.5 Carrying of Firearms

ADMINISTRATION

STANDARD 20.5 **The agency has a written directive that requires all sworn personnel engaged in field assignments to carry a firearm in the performance of their duties. The directive must address the use and carrying of agency authorized firearms and ammunition both on and off-duty.**

Commentary: *Examples of field assignments include, but are not limited to: patrol functions (e.g., bicycle, foot, marine, mounted, vehicle and canine patrols) and investigative operations. Authorized firearms may include agency issued or personally owned handguns, rifles or shotguns.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews and observations to help verify that sworn personnel understand and are following the directive.

20.6 Less Lethal Substances/Devices

ADMINISTRATION

STANDARD 20.6 **The agency has a written directive regarding the use of less lethal substances and devices by agency personnel, including any prohibitions against carrying such weapons.**

Commentary: This standard will ensure the proper use of less lethal substances and devices including, but not limited to, chemical agents, tear gas, impact weapons and batons.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews to verify that sworn personnel are aware of, understand, and are complying with the requirements of the policy.

Section 21 – Agency Review

New York State Law Enforcement Accreditation Program

21.1 Review of Firearms Use

ADMINISTRATION

STANDARD 21.1 **The agency has a written directive which requires a process for documenting, reviewing and disposing of any incident wherein an officer discharges a firearm other than in training or for lawful recreational purposes. The written directive must include:**

A. How the process is carried out and the responsible position;
B. The procedures used to document the incidents;
C. The procedure and criteria used to review the incident;
D. The procedures and criteria used to resolve the incident, and;
E. Whether the agency permits the use of warning shots.

Commentary: The intent of this standard is to ensure that firearms are used correctly and to evaluate the need for further training or changes to policy. The process is intended to evaluate the circumstances behind all incidences of firearm discharge and the results of the review of such incidents.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Agency files (including completed disposition reports) are checked for records of any such incidents. If no such incidents have been documented during the period being assessed, examples of the forms, reports, etc. that will be used in the future should be available for review.

3. Interview(s) with personnel responsible for the function to verify their knowledge of and compliance with the directive and process.

V. INTERNAL AFFAIRS

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Section 25 – Internal Affairs

New York State Law Enforcement Accreditation Program

25.1 Internal Affairs Function - CRITICAL STANDARD

ADMINISTRATION

STANDARD 25.1 The agency has a written directive that outlines the internal affairs function. The directive shall include provisions for:

A. The position(s) within the agency responsible for the internal affairs function with the authority to report directly to the agency's chief law enforcement officer;

B. Documenting the investigation of complaints against officers;

C. Defining the type of complaint to be investigated by line supervisors and those which will be handled by those responsible for the function;

D. Maintaining the confidentiality of the internal affairs investigation and records;

E. Maintaining a liaison with the District Attorney's Office, and;

F. Notifying the complainant that the matter is being handled administratively (as per §50-a of the Civil Rights Law).

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

Examples of less serious complaints that may be investigated by an immediate supervisor include officer tardiness, rudeness, and insubordination. More serious categories of complaints that may be investigated by the Internal Affairs function include corruption, brutality, death or serious injury, criminal misconduct, and breach of civil rights.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. A copy of the organizational chart is reviewed to verify the direct connection between internal affairs and the agency's chief law enforcement officer.

3. Agency files pertaining to this function are examined, including reports, logs, complaint forms, internal investigation records, and forms used to document and make notification on such incidents.

4. Interview(s) with personnel responsible for the control, undertaking and supervision of internal investigations to verify their knowledge of and compliance with the standard (including the DA's Office liaison).

5. Observation of internal affairs files to verify limited access and security.

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VI. PUBLIC RELATIONS

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Section 28 – Public Information

New York State Law Enforcement Accreditation Program

28.1 Public Information Function and Media

ADMINISTRATION

STANDARD 28.1 **The agency has a written directive concerning the public information function within the department. At minimum, the directive will include:**

A. The position(s) in the agency responsible for the public information function including who may release information to the news media:

- **At the scene of an incident;**
- **From agency files;**
- **Concerning an ongoing criminal investigation, and;**
- **Any time the public information officer is not available.**

B. The access of media representatives, including photographers, to all scenes of incidents which may draw media attention;

C. The requirement that all information released pertaining to ongoing criminal investigations conforms to the New York State Fair Trial/Free Press Guidelines[1] and specifies the type of information that may and may not be released, and;

D. The response to freedom of information requests.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with personnel responsible for this function may be conducted to verify their knowledge of and compliance with the directive.

3. Interview(s) with agency personnel not responsible for this function may be conducted to verify their understanding of and compliance with the directive.

4. A review of examples of news/press releases to verify that they are consistent with the agency directive.

5. A review of agency procedures with the Fair Trial/Free Press guidelines may ensure the procedures are complete.

6. Copies of press releases attached to agency case files may help verify compliance.

[1] The Fair Trial/Free Press Guidelines may be obtained through the following link: https://www.ncjrs.gov/pdffiles1/Digitization/112880NCJRS.pdf.

28.4 Social Media

ADMINISTRATION

STANDARD 28.4 The agency has a written directive that governs the use of social media by agency personnel and at a minimum:

A. Provides guidelines for the department-sanctioned use of social media both as a means of communicating agency information with the public and as an investigative tool;

B. Provides guidelines regarding employees' use of personal social media outlets both on and off-duty;

C. Requires that the chief law enforcement officer, or their designee, approve all information released on department-sanctioned social media outlets;

D. Prohibits the revelation of agency-sensitive information which may damage investigations or undercover operations, and;

E. Prohibits the revelation of information that could damage the agency's reputation or credibility or otherwise be detrimental to the agency's mission.

Commentary: Social media may be used by the agency in an official capacity to com municate with the public, problem-solve, and investigate and/or prevent crimes. In addition, social media plays a role in the personal lives of many people employed by law enforcement agencies. Even use as individuals, separate and apart from the agency, may have a bearing on them in their official capacity and/or on the agency as a whole. Therefore, it is important to have a policy in place that governs the use of social media both in an official capacity and for employees as private individuals.

Nothing in this standard is intended to mandate the use of social media by a law enforcement agency.

Compliance Verification Strategies

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

1. A copy of the directive is available for review; and

2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.

Section 29 – Community Relations

New York State Law Enforcement Accreditation Program

29.1 Responsibility of Personnel

ADMINISTRATION

STANDARD 29.1 The agency has a written directive outlining the agency's community relations objectives. The directive will include, at a minimum:

A. The position(s) or component(s) within the agency responsible for the coordination of the community relations function, and;

B. Information regarding the responsibilities of each member of the agency so that it's clear that achieving the agency's community relations objectives is a responsibility shared by all personnel.

Commentary: Law enforcement agencies are often called upon to advise and inform the public about various topics, such as crime prevention, personal safety and police activities. In order to coordinate the department's efforts, it is essential to designate a person to be responsible for this function and to delegate, whenever appropriate, the duties to different units or people according to their areas of expertise.

All personnel in the agency, both sworn and civilian, should project a positive image and embrace the notion that one of their main functions is to meet the needs of the community they serve. Ensuring every employee is aware of the different programs the agency offers enables them to inform members of the community during the course of their duties.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with personnel responsible for those functions to verify their knowledge of and compliance with the standard.

3. A review of records that demonstrate community relations are an active function within the agency.

4. Examples of existing community relations programs may be provided.

5. Interviews with personnel to discuss their understanding of the directive and the role they play within the community relations function.

29.3 Crime Prevention

ADMINISTRATION

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

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

Compliance Verification Strategies

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

1. A description of the agency's crime prevention function is available for review.

2. Documentation of how the agency achieves its crime prevention objectives is available for review.

3. Interview(s) with agency personnel may be conducted to verify their understanding of the agency's crime prevention objectives and of any responsibilities that they may have in this area.

4. Interview(s) with personnel primarily responsible for this function may be conducted to verify their knowledge of and compliance with the standard.

29.4 Crime Victims

ADMINISTRATION

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

Commentary: Every victim who reports a crime must be supplied with information and forms explaining the availability of victim compensation and other services. In addition, every law enforcement agency must have available written information supplied by the Office of Victim Services explaining the availability of crime victim compensation and victim services as per Article 22 of the NYS Executive Law.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Forms and booklets relating to available resources for victims are readily available to the public at the law enforcement agency.

3. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this legislation.

29.5 Sex Offense Victims

ADMINISTRATION

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this legislation.

3. Interview(s) with agency personnel responsible for the investigation of sex crimes to verify their knowledge of rape crisis services available in their areas.

4. Agency handouts that identify county rape crisis facilities are available for review.

5. Observation of the private setting used for the interview of sex crime victims.

29.6 Sex Offender Management

ADMINISTRATION

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

A. **Community notification made to those deemed as potential vulnerable populations.**

B. **Permitting the agency to verify a sex offender's address and to secure a warrant for arrest when appropriate.**

Commentary: Agencies should understand that they have the need to protect the community and that the law allows for notification by the agency when a sex offender is residing in the community. For the purposes of Bullet A of this standard, community notification is a purposeful and proactive effort to notify the vulnerable populations contained in the agency list as required by SORA, Correction Law Article 6-C, §168-l, 6 (b) and (c). Proactive efforts may include, but not be limited to, sending letters to vulnerable populations (e.g. schools, daycare facilities, nursing homes, etc.); having community meetings with affected groups; or providing information via website, with occasional letters sent to vulnerable entities to inform them the information exists.

In addition, sex offenders are required to submit an annual address verification form to DCJS to report their actual physical address and failure to do so is a felony. To comply with Bullet B, the written directive will include provisions for verifying a sex offender's address when they fail to verify or register as required by law. Your agency's procedure may include other methods of ascertaining the whereabouts of an unverified sex offender. Obtaining an arrest warrant is an option for those that cannot be located using any other method.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this directive.

3. Documents used for community notification are available for review.

4. Documentation to verify offender's non-compliance is available for review.

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TRAINING STANDARDS

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Section 32 - Basic

New York State Law Enforcement Accreditation Program

32.1 Basic Course for Police Officers

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

Compliance Verification Strategies

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

1. Training records of sworn officers may be reviewed to verify successful completion of a basic school.

2. A copy of the course curriculum and lesson plans are provided if the course was not approved by the Municipal Police Training Council (MPTC). The assessor should verify that the course meets or exceeds MPTC requirements.

3. Interview(s) with agency personnel to verify the accuracy of training records and agency compliance with the standard.

4. Interview(s) with agency personnel responsible for the training function to verify their knowledge of and compliance with this standard.

32.3 Firearms Training

TRAINING

STANDARD 32.3 **The agency has a written directive that prohibits officers from carrying or using any firearm in connection with the performance of their official duties, with the exception of authorized departmental firearms training, unless they have satisfactorily completed an approved Municipal Police Training Council Program (or a program that meets or exceeds those requirements) that constitutes the basic course of instruction in the use of deadly physical force and in the use of firearms.**

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Agencies that do not use a course approved by the Municipal Police Training Council to instruct officers in the use of deadly physical force and firearms may provide copies of the course curriculum and lesson plans.

3. A review of officer training records. These records may include appropriate test results and written evaluations. A listing of officers authorized to carry or use firearms should be provided by the agency for comparison purposes.

4. Interview(s) with agency personnel responsible for the training function to verify compliance with the standard.

5. Interview(s) with recruit officers to verify that appropriate training was received prior to carrying a firearm.

32.4 Use of Less Lethal Substances/Devices

TRAINING

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews with agency personnel to verify their knowledge of and compliance with the directive.

3. Review agency training records to verify compliance with the standard.

32.5 Field Training

TRAINING

STANDARD 32.5 **The agency has a field training program. This program must provide a minimum of 160 hours for recruit officers with no prior police experience and be completed at the earliest possible date. The recruit officer must be accompanied and supervised by a field training officer[2] and will not be assigned to work alone until such training is satisfactorily completed. The program should include, but not be limited to:**

A. Daily written evaluations;

B. Specific performance criteria; and

C. Observed interaction with the public.

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

Compliance Verification Strategies

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

1. A copy of the field training program is available for review.

2. A review of field training records to verify that training practices comply with agency procedures and that the training is completed for all recruits in a timely manner.

3. Interview(s) with personnel responsible for supervising/coordinating the field training program can be conducted to verify their knowledge and understanding of the function.

4. Interview(s) with field training officers(s) and recruits to verify compliance with the standard.

[2] As of January 1, 2015, all FTOs must complete the Municipal Police Training Council Police Field Training Officer course or equivalent.

Section 33 – In-Service

New York State Law Enforcement Accreditation Program

33.1 Length and Content - CRITICAL STANDARD

TRAINING

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

Firearms training shall include live fire training of all authorized firearms on the firing range.

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

Part-time officers who are full-time officers in other departments may consider in-service training received at their full-time department toward meeting this requirement, provided the accredited agency can show documentation of the training received.

Compliance Verification Strategies

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

1. A review of training records to determine that all officers have either met or will meet the annual 21-hour training requirement. (Specific topics listed in the standard must be included as part of the scheduled training.)

2. Interview(s) with agency personnel to verify the accuracy of the training records.

3. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the in-service requirement.

33.2 Instructor Qualifications

TRAINING	
STANDARD 33.2	**The agency must use certified instructors to provide and/or approve the required 21-hour in-service training. This certification must be in accordance with instructor standards and qualifications pursuant to 9NYCRR 6023 or 6024 of the New York State Codes, Rules, and Regulations. If the proposed instructor has not been certified, a certified instructor must review and approve the content of the lesson plans.**

Compliance Verification Strategies

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

1. Agency may provide a list of instructors that it uses as well as records verifying that they have been certified in accordance with Part 6023 or 6024 of N.Y.S. Codes, Rules and Regulations.

2. If the agency establishes its own standards and qualifications for instructors, a copy of the standards and qualifications are provided for review. They should be consistent with those set forth in Part 6023 or Part 6024. Records must be provided to verify that instructors have satisfactorily met all requirements.

3. If the qualifications of an instructor are unknown, documentation that a certified instructor has reviewed and approved the content of the lesson plan is available for review.

4. Interview(s) with personnel responsible for the training function to verify their knowledge and understanding of the certification requirement.

5. Interview(s) with personnel used by the agency as instructors to verify both their certification and the accuracy of agency records.

33.3 Specialized Training

TRAINING

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

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

Compliance Verification Strategies

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

1. Documentation which identifies all specialized positions, the technical training that is required for each, and a listing of all persons assigned to fill these positions is available for review.

2. A review of training logs, records, files, certificates etc. to document both timely initial training and periodic in-service training.

3. A schedule or timetable showing that each person in a specialized position either has attended or is scheduled to attend appropriate in-service training is available for review.

4. The name of the agency or organization that administers the initial and in-service training courses is provided. Information pertaining to the location, duration and curriculum used should be on file.

5. Training logs, records and evaluations of any specialized in-service courses which officers have already attended are available for review.

6. Interview(s) with personnel designated as being in specialized positions should be conducted to verify the accuracy of agency records and agency compliance with the standard.

Section 34 – Supervisory Training

New York State Law Enforcement Accreditation Program

34.1 First-Line Supervisors

TRAINING

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

Compliance Verification Strategies

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

1. The agency provides a list of first line supervisors along with the dates of their appointment. First line supervisors who have occupied their position for more than one year must have completed a police supervision course.

2. Agencies which sponsor supervisory training other than that approved by the Municipal Police Training Council may provide a copy of the police supervision course curriculum and lesson plans that meet or exceed Council requirements.

3. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the standard.

4. Interview(s) with first line supervisor(s) to determine the accuracy of agency records.

5. There may be some instances where a police supervision course is not sponsored within a reasonable distance of the agency. If this is the case, the agency must be able to document that is made a legitimate effort for new supervisors to attend supervisory schools in a timely manner.

34.2 Annual Supervisory Training

TRAINING

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

Commentary: It is the intent of this standard to continually provide supervisory skill level training to all supervisors. This supervisory skills training may be included in the overall 21 hours of annual in-service training.

Compliance Verification Strategies

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

1. An agency plan indicating when and how supervisors will annually attend such training is available for review.

2. Records documenting the annual attendance of supervisors at annual supervisory training is available for review.

3. Interview(s) with supervisors to determine the accuracy of agency records and compliance with the standard.

4. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the standard.

Section 35 – Training Records

New York State Law Enforcement Accreditation Program

35.1 Personnel Training Records

TRAINING

STANDARD 35.1 **The agency requires that current training records are documented for all sworn personnel.**

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

Compliance Verification Strategies

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

1. Personnel training records to verify that they are up-to-date and properly documented are available for review.

2. Interview(s) with personnel responsible for the training function to verify their knowledge of and compliance with the standard.

3. Interview(s) with randomly selected personnel to verify the accuracy of the training records.

35.2 Training Courses

TRAINING	
STANDARD 35.2	**The agency has accurate records available for all training courses attended by sworn personnel. Copies of the lesson plans, course curriculum or course descriptionare maintained indefinitely.**
	Commentary: This standard refers to training that is conducted or sponsored by outside entities (e.g. regional academy, other law enforcement agencies, private vendors).

Compliance Verification Strategies

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

1. Agency records pertaining to training courses completed by its members are available for review.

2. Official copies of course curricula are available for review.

3. Interview(s) with personnel responsible for maintaining training records to verify their knowledge of and compliance with this standard.

4. Interview(s) with agency personnel who are listed on attendance sheets to verify the accuracy of these records.

35.3 Agency Sponsored Courses

TRAINING

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

Commentary: This standard refers to training that is conducted by the agency (using agency instructors and/or instructors from other law enforcement agencies).

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. Training records for all courses that the agency has sponsored are available for review.

2. Copies of the curricula and all lesson plans for each course sponsored by the agency are available for review.

3. Interview(s) with personnel responsible for maintaining training records to verify agency compliance with the standard.

OPERATIONAL STANDARDS

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Section 40 – Patrol Functions

New York State Law Enforcement Accreditation Program

40.1 Responsibilities of Patrol Officers

OPERATIONS

STANDARD 40.1 **The agency has a written directive that identifies the responsibilities of patrol officers including:**

A. The tasks associated with the patrol function (e.g. traffic control, maintaining law and order, crime prevention, responding to calls for service, etc.) and;

B. The categories of crimes and incidents wherein patrol officers are responsible for conducting preliminary and/or follow-up investigation(s) and preparation of reports.

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. A review of Investigative reports to determine if crimes and incidents are being investigated in accordance with agency policy.

3. Observation of the patrol component to verify personnel knowledge and understanding of the function.

4. Interview(s) with both patrol and plainclothes officers to determine if they understand and follow the agency's investigative policies.

40.2 Supervisor Responsibilities

OPERATIONS	
STANDARD 40.2	**The agency has a written directive(s) that identifies the circumstances when a supervisor is required at the scene of an incident.**
Commentary:	*The intent of establishing this directive is to give direction to subordinates as to when a supervisor is required at a scene.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Records and incident reports demonstrating compliance with the written directive are available for review.

3. Interview(s) with supervisory personnel to verify their knowledge and understanding of this directive.

4. Interview(s) with patrol officers to verify their knowledge and understanding of the directive and to verify that the agency's directive is being implemented.

40.3 Command Protocol

OPERATIONS

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

Commentary: The written directive will provide guidance as to who is in command of a particular operation when personnel from two or more components are included in a single operation. (Example - who is in charge if patrol and detective personnel are present at the scene of an incident?)

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with supervisory staff to verify their knowledge and understanding of this directive.

3. A review of reports describing incident(s) in which personnel from different components were engaged in a single operation to determine if the officers acted in compliance with the directive.

Section 41 - Equipment

New York State Law Enforcement Accreditation Program

41.1 Vests

OPERATIONS	
STANDARD 41.1	**The agency requires that a soft body armor vest or jacket is provided to every officer whose regular duties are such that they may expose the officer to serious physical injury which may result in death or disability.**
Commentary:	*The intent of this standard is to ensure officer safety. While compliance with this standard requires only that accredited agencies provide officers with soft body armor, agencies are encouraged to adopt an internal policy or order that requires officers to wear the vests while on duty.*

Compliance Verification Strategies

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

1. A copy of agency procedures for requesting and issuing vests is available for review.

2. Interview(s) with personnel to determine if a soft body armor vest is provided to every officer whose assignments fit the criteria specified in the standard.

3. Interview(s) with personnel responsible for reviewing/authorizing requests for purchases of soft body armor to verify their knowledge of and compliance with the standard.

41.3 Authorized Apparel and Equipment

OPERATIONS

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

Commentary: *The standard is intended to ensure a degree of uniformity in apparel and accessories.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Observation of agency personnel to verify compliance with the directive.

3. Interview(s) with agency personnel to verify their understanding of and compliance with this standard.

Section 42 – Vehicles

New York State Law Enforcement Accreditation Program

42.1 Patrol Vehicles

OPERATIONS

STANDARD 42.1 The agency has a written directive that:

A. Specifies the minimum equipment authorized by the agency to be included in every vehicle used for patrol, and;

B. Requires that the majority of vehicles used routinely for general patrol service are conspicuously marked.

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Inspection of agency vehicle(s) that are routinely used in patrol service to verify that they are conspicuously marked and are equipped as per the directive.

3. Interview(s) with personnel responsible for assigning vehicles to verify their knowledge of and compliance with this standard.

4. Interview(s) with agency personnel who operate police vehicles to verify their knowledge of and compliance with the standard.

42.3 Seat Belts

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Observation of personnel operating agency vehicle(s) may verify compliance with the directive.

3. Interview(s) with agency personnel to verify their understanding of and compliance with this directive.

42.4 Special Purpose Vehicles

OPERATIONS

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

A. **A statement ofthe objectives of their operations or usage;**

B. **Instructions, conditions and the limitations of usage;**

C. **Authorization for use in various situations;**

D. **Qualification and training for personnel assigned as operators;**

E. **Designation of positions(s) responsible for the condition and maintenance of these vehicles;**

F. **A listing of the equipment, if any, to be kept on board; and**

G. **A list of authorized operators.**

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.
2. Inspection of the agency's special purpose vehicles, vessels or aircraft. Any equipment on board is consistent with that listed in the written directive, and all equipment listed in the directive is on board.
3. Copies of any training curricula or lesson plans associated with the in-service training of operators should be provided.
4. Training records of all current operators and a list of authorized operators is available for review.
5. Maintenance records are available for each vehicle, vessel or aircraft as well for the equipment kept on board. Records are up-to-date and appropriately documented.
6. Agency logs and other records pertaining to the use of special purpose vehicles may bereviewed.
7. Interview(s) with the authorized operator(s) of these vehicles to determine the accuracy of agencyrecords and the agency's compliance with the written directive.

Section 43 - Activities

New York State Law Enforcement Accreditation Program

43.1 Responding to Calls

OPERATIONS

STANDARD 43.1 **The agency has a written directive that establishes guidelines for responding to routine, urgent, and emergency calls. The directive should permit for the designation of the seriousness of a call and include the equipment to be used during the calls (e.g. emergency lights and siren).**

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Observation of agency personnel responding to emergency or routine calls to determine if the officers follow the indicated guidelines.

3. Review of agency records pertaining to such calls and the actions taken by officers to determine procedural compliance.

4. Interview(s) with patrol officers to verify their knowledge of and compliance with the guidelines.

5. Interview(s) with communication/dispatch personnel to verify their understanding of and compliance with the guidelines.

43.2 Recording Officer Status

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with communications/dispatch personnel to verify their knowledge of and compliance with the directive.

3. Interview(s) with patrol personnel to confirm that monitoring checks are conducted.

4. Monitoring of radio transmissions to verify compliance with the directive.

5. Review of communications/dispatch records to verify compliance with the standard.

43.3 Law Enforcement Response

OPERATIONS

STANDARD 43.3 **The agency will ensure that law enforcement response is available 24 hours a day, seven days a week and includes telephone access for calls for service within the jurisdiction.**

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

Compliance Verification Strategies

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

1. Agency duty roster specifying coverage for calls for service during times other than normal working hours is available for review.

2. If an agency does not provide 24-hour coverage, documentation specifying how it provides coverage in emergency and off hour situations is available for review.

3. If another agency is involved in providing 24-hour coverage, relevant documentation (e.g. contractual agreements) is provided. Contact with the other agency should be made to verify the performance of this function.

43.4 Vehicle Pursuits - CRITICAL STANDARD

OPERATIONS

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

A. Evaluating the circumstances;

B. Initiating officer's responsibilities;

C. Secondary unit(s) responsibilities;

D. Dispatcher's responsibilities;

E. Supervisor's responsibilities;

F. Forcible stopping;

G. When to terminate pursuit; and

H. Inter- and intra-jurisdictional pursuits.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Agency records pertaining to incidents involving the pur suit of motor vehicles are available for review to demonstrate compliance with the policy.

3. Interview(s) with patrol officers, dispatchers and supervisors to verify their understanding of agency policy and their designated role in a pursuit situation.

43.5 Roadblocks

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with various components of agency personnel (e.g., dispatchers, patrol officers, supervisors) to verify their understanding of the directive and the role that each one has in a roadblock situation.

3. Agency reports that involved the use of roadblocks are available for review.

4. Interview(s) with agency personnel, if any, who were recently involved in a roadblock situation to verify their knowledge of and compliance with the directive.

43.6 Specialized Units

OPERATIONS

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

A. **A statement of the objectives of their operation and usage;**

B. **Instructions, conditions and limitations of usage;**

C. **Authorization for use in various situations;**

D. **Qualifications;**

E. **Designation of the position responsible for the coordination or supervision of each unit;**

F. **A list of special equipment assigned to each unit; and**

G. **A list of personnel assigned to each unit.**

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. A list of the persons assigned to each specialized unit is provided.

3. Training records for personnel assigned to each specialized unit is provided.

4. Initial training and in-service training required for personnel assigned to specialized units is provided.

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

6. Review of records of incident(s) involving specialized units are available for review.

43.7 Notifying Next of Kin

OPERATIONS

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

Commentary: This standard is intended to address notification with regard to the general population.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Records documenting such notifications are provided for review.

3. Interview(s) with patrol personnel to verify their knowledge of and compliance with the directive.

4. Records of any seminars or training programs that officers have attended on this topic may be available for review to help demonstrate compliance with the standard.

43.8 Health of Persons in Custody - CRITICAL STANDARD

OPERATIONS

STANDARD 43.8 **The agency has a written directive that outlines a response to medical and mental health of persons in custody pursuant to New York Civil Rights Law Article 3 §28 and in accordance with the MPTC Use of Force Model Policy.**

Commentary: *New York Civil Rights Law Article 3 §28 was enacted to ensure that when a person is under arrest or otherwise in the custody of a police officer, peace officer or other law enforcement representative or entity, such officer, representative or entity shall have a duty to provide attention to the medical and mental health needs of such person, and obtain assistance and treatment of such needs for such perso n, which are reasonable and provided in good faith under the circumstances. See also, Standard 20.1 – Use of Force and the MPTC Use of Force Model Policy.*

Compliance Verification Strategies

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

1. A copy of the directive should be available for review; and

2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.

3. Review of incident reports.

Section 44 – Specialized Incidents

New York State Law Enforcement Accreditation Program

44.1 Domestic Incidents - CRITICAL STANDARD

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.

3. Review of domestic incident reports.

44.2 Hate Crimes

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.

3. Review of hate crime reports.

44.3 Missing Persons

OPERATIONS

STANDARD 44.3 **The agency has a written directive regarding the investigation of reports of missing children, college students, adults, vulnerable adults and unidentified persons. The directive must, at minimum, include provision s for:**

A. Accepting and investigating missing person reports for children, college students, vulnerable adults and unidentified persons without any waiting period;

B. Verification that the missing person information has been entered in eJusticeNY / NCIC upon receipt of the report, and;

C. Criteria and procedures for activation of AMBER Alert, Missing Child Alert, Missing College Student Alert, and Missing Vulnerable Adult Alert Systems.

Commentary: The provisions for accepting and investigating missing person reports and eJusticeNY entry are pursuant to Executive Law §838. The policy should also include provisions for the investigation of cases of missing, non-vulnerable adults.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interviews with agency personnel to verify their knowledge of and understanding of the directive.

3. Review of case files of missing persons to determine if the policy was adhered to.

II. TRAFFIC

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Section 47 - Traffic

New York State Law Enforcement Accreditation Program

47.1 Enforcement of Traffic Violations

OPERATIONS

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

A. Address violations committed by residents, nonresidents, juveniles and foreign diplomats/consular officials;

B. Include reference to relevant laws (i.e. juvenile laws and diplomatic law) as well as appropriate telephone numbers (State Department for diplomats; judges for juveniles and/or non-residents), and;

C. Include a system of accountability for all traffic summonses.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their knowledge and compliance with the directive.

3. Interview(s) with agency personnel recently involved in such situations to verify compliance with the directive.

4. Reports or records involving such incidents are available for review.

47.2 Stopping Violators

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their understanding of and compliance with the policy.

3. Training records indicating that officers have received any training in this area are available for review.

4. Observations(s) of motor vehicle stop(s) by patrol officers may verify compliance with the procedures.

47.3 High Visibility Clothing

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel normally assigned to traffic posts to verify compliance with the standard.

3. Observation(s) of traffic details to verify that high visibility clothing is being used.

4. Review of quartermaster/supply records to confirm that high visibility clothing has been distributed to appropriate personnel.

47.4 Speed Measuring Devices

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel responsible for maintaining these devices to verify compliance with the directive.

3. Interview(s) with agency personnel who operate these devices to verify their understanding of and compliance with the directive.

4. Maintenance records for these devices are available for review.

5. Observation of personnel operating these devices to verify that officers are complying with the directive.

47.5 Impaired and Intoxicated Driving Cases

OPERATIONS

STANDARD 47.5 **The agency has a written directive for handling persons suspected of or charged with driving while under the influence of alcohol or drugs that includes, but is not limited to, the following:**

A. **The proper administration of standard field sobriety tests;**

B. **The proper administration of chemical test to determine intoxication pursuant to NYS Department of Health rules and regulations;**

C. **The use of a Drug Recognition Expert (when available) if drug impairment is suspected;**

D. **The incarceration or release to a responsible third party;**

E. **Disposition of the arrestee's vehicle; and**

F. **Other practices consistent with applicable statutes.**

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their understanding of and compliance with the directive.

3. Interview(s) with court personnel (e.g. district attorneys, judges) to verify that agency personnel are following the directive.

4. Agency records involving DWI arrests are available for review.

47.6 Hazardous Road Conditions

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with patrol officers to verify their understanding of and compliance with this directive.

3. Reports, forms or logs used by the agency to document these hazardous conditions are available for review.

4. Interview(s) with agency personnel responsible for forwarding these reports to the appropriate outside agency to verify their knowledge of and compliance with this directive.

47.7 Accident Reporting/Investigations

OPERATIONS

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

A. Death or injury;

B. Fire hazards;

C. Hit and run;

D. Impairment due to alcohol or drugs;

E. Hazardous materials; and

F. Damage to public vehicles or property.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Agency records of traffic accidents are available for review to verify compliance.

3. Interview(s) with agency personnel to verify their understanding of and compliance with the directive.

4. Interview(s) with agency personnel responsible for compiling traffic data to verify their understanding of and compliance with the directive.

47.8 Towing and Impoundment

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with patrol officers to verify their understanding of and compliance with this directive.

3. Agency records, reports, logs or any other documentation used in towing vehicles are available for review and demonstrate the directive is being followed.

III. CRIMINAL INVESTIGATIONS

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Section 50 - Methods

New York State Law Enforcement Accreditation Program

50.1 Criminal Investigations – CRITICAL STANDARD

OPERATIONS

STANDARD 50.1 **The agency has a written directive that describes the criminal investigation function. The directive must include provisions for:**

A. **Which personnel (uniformed, non-uniformed or both) are responsible for carrying out the investigative function;**

B. **A description of the case management system used to track investigations including:**

- **Assignment, investigation and termination of cases;**
- **The status of each case (e.g. open, closed, suspended), and;**
- **A procedure for closing cases other than by arrest.**

C. **Videotaping interviews and interrogations, and;**

D. **Procedures for assuring compliance with the constitutional protections during a criminal investigation.**

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Agency files, records and reports pertaining to the management system are available for review.

3. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with the directive.

4. Assessors can review criminal reports to verify compliance with the directive.

50.4 Juvenile Operations

OPERATIONS

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

A. Detention of juveniles separate and secure from adults (New York Family Court Act section 304.1);

B. The questioning of juveniles only in rooms approved by the Chief Administer of the Courts (section 205.20 of the Uniform Rules for Family Courts);

C. The maintenance of juvenile records separate from those of adults, and;

D. The position(s) responsible for the collection, dissemination and retention of juvenile records.

Commentary: Given the special legal status of juveniles, written directives can assist in governing matters such as: how a juvenile enters the juvenile justice system, how to interview juveniles, issues relating to temporary detention, and diversion to the adult system and record-keeping. These procedures must be consistent with legal guidelines found in the NYS Criminal Procedure Law, Family Court Act or other legal or judicial guidelines.

Compliance Verification Strategies

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

1. A copy of the written directive(s) that address juvenile operations is available for review.

2. Interview(s) with personnel responsible for juvenile operations can be conducted to verify their knowledge of and compliance with the directive(s).

3. Agency records involving juvenile operations are available for review.

50.5 Informants

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Agency records involving the use of informants are available for review.

3. Interview(s) with agency personnel who use, or have used, informants to verify their understanding of and compliance with the directive.

50.6 Aids for Detecting Deception

OPERATIONS

STANDARD 50.6 **The agency has a written directive that governs the use of technical aids for the detection of deception. The written directive must include provisions for:**

A. Employee use of equipment owned by the agency;

B. Employee use of equipment owned by another agency or entity, and/or;

C. The function, if performed by another agency.

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. A list of all examiners is provided.

3. The MOU or other type of written agreement with another agency (if applicable) is available for review.

4. Interview(s) with examiners to verify their knowledge and compliance with the directive.

50.7 Intelligence Collection and Sharing

OPERATIONS

STANDARD 50.7 **The agency has a written directive that governs the collection, use, dissemination and retention of criminal intelligence. The directive will comply with all state, federal and local laws and will include provisions for:**

A. **Interagency cooperation, including MOUs with all agencies that are provided access to the intelligence;**

B. **The collection and storage of information;**

C. **The release of information;**

D. **The retention of information, including appropriate limitations such as duration, removal and redaction;**

E. **Maintaining the confidentiality of information;**

F. **Protecting the rights and privacy of individuals, and;**

G. **The position(s) responsible for decisions regarding the dissemination of information.**

Commentary: The use of intelligence in criminal investigations is common in this age of technology and information sharing. It's critical that agencies have a plan in place for how to effectively and legally deal with this information.

Compliance Verification Strategies

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

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

50.8 Fingerprinting and Photographing Defendants

OPERATIONS

STANDARD 50.8 **The agency participates in the State Automated Biometric Identification System (SABIS), uses Livescan or Cardscan for the automated submission of fingerprints, and complies with applicable laws relative to the fingerprinting and photographing of defendants after arrest.**

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

Compliance Verification Strategies

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

1. Copies of fingerprint submissions using Livescan or Cardscan are available for review.
2. Documentation outlining the agency's participation in SABIS is available for review.
3. Interview(s) with personnel responsible to verify their understanding of and compliance with this standard.
4. Review agency arrest and criminal history records to verify that photographs and fingerprints have been taken in accordance with applicable law.

50.9 DNA Databank

OPERATIONS

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

Commentary: Executive Law section 995-c (3) requires individuals who have been convicted and sentenced of certain designated offenses to provide a DNA sample for inclusion in the State DNA Databank.

Executive Law §995 (7) was amended in 2012 (effective for convictions on or after 8/1/2012) to provide that a designated offense includes:

- *Any felony;*
- *Any Penal Law Misdemeanor **except** PL §221.10, criminal possession of marihuana in the fifth degree – this crime is only a designated offense if:*
  - *The conviction is for subdivision two, or;*
  - *The conviction is for subdivision one and the defendant has a previous criminal conviction.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with agency personnel to verify their knowledge and understanding of the requirements of this legislation.

3. Examples of “Rap sheets” annotated with the **“DNA Owed”** banner available for review.

4. Copies of completed DNA DATABANK SPECIMEN SUBMISSION FORMS available for review.

5. Demonstration by agency personnel in the proper use of the collection kits.

Section 51 – Scenes of Incidents

New York State Law Enforcement Accreditation Program

51.1 Processing Scenes

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with personnel given this responsibility to ensure their knowledge of and compliance with the directive.

3. Interview(s) with officers from other agency components (i.e. patrol, supervisor, dispatchers, administrators) to verify their knowledge of and compliance with this directive.

4. Agency records involving criminal investigations are available for review.

51.2 Equipment

OPERATIONS

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

A. Recovery of latent fingerprints;

B. Photography;

C. Sketch of the scene; and

D. Collection and preservation of physical evidence.

Compliance Verification Strategies

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

1. Interview(s) with appropriate personnel to ensure that the equipment is avai lable and properly maintained.

2. Observation of equipment.

51.3 Photographs

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with personnel responsible for handling physical evidence to verify their knowledge of and compliance with the directive.

3. Evidence logs and records are available for review.

51.6 Incident Reports

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Interview(s) with personnel responsible for this function to verify their knowledge of and compliance with the directive.

3. Review of agency reports to verify compliance with the directive.

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IV. COMMUNICATIONS

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Section 55 - Communications

New York State Law Enforcement Accreditation Program

55.1 Communications - Responsibilities and Procedures

OPERATIONS

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

A. Radio communications;

B. Telephone communications (24-hour);

C. State and national law enforcement data networks;

D. Alarm monitoring;

E. Mobile Data Computers; and

F. Misdirected Emergency Calls.

Commentary: *The agency should, within its capabilities, comply with state and county interoperable communication plans including use of plain language and channel naming.*

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Observation of the communication function to verify compliance with the directive.

3. Interview(s) with communication/dispatch personnel to verify their knowledge of and compliance with the directive.

4. Interview(s) with patrol officer(s) to verify that dispatchers are complying with the directive.

55.3 Two-Way Radios

OPERATIONS

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

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

Compliance Verification Strategies

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

1. Inspect the facility and equipment with which the agency conducts its two way radio communications (i.e. base station, portable walkie-talkies, and radios in police vehicles.)

2. Proof that patrol officers have access to such equipment should be provided (e.g., logs documenting access or assignment of two-way radio communications to patrol officers).

55.4 Communication with Patrol Officers

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Monitor radio or data communications to verify procedural compliance.

3. Interview(s) with patrol officers to verify their understanding of and compliance with the directive.

4. Interview(s) with communication/dispatch personnel to verify their understanding of and compliance with the directive.

55.5 Intra-Agency Cooperation

OPERATIONS

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

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

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.

2. Observe the agency's daily operations to help verify compliance.

3. Copies of any logs or records used to document communications and coordination between the patrol and other agency components should be provided.

4. Interview(s) with personnel assigned to various agency components to verify their understanding of and compliance with the standard.

V. UNUSUAL OCCURRENCES

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Section 58 – Unusual Occurrences

New York State Law Enforcement Accreditation Program

58.1 Mutual Aid

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

Compliance Verification Strategies

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

1. A copy of the agency plan is available for review.

2. A copy of any written agreement that has been made with other agencies regarding this standard is available for review.

3. A copy of any records documenting past or current temporary assignments of personnel are available for review.

4. Interview(s) with agency personnel responsible for coordinating such situations to verify their knowledge of and compliance with the plan.

5. Interview(s) with representatives from other agencies involved in this plan to verify compliance.

58.2 Disaster Plans - CRITICAL STANDARD

OPERATIONS

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

An agency that does not have its own plan must be incorporated in a county or regional plan. All state agencies are required to participate in the Incident Command System per executive order 9NYCRR §5.26.1 issued by the Governor of New York State.

The agency plan must include provisions for:

A. Communications;
B. Field command posts;
C. Casualty information;
D. Community relations/public information (media briefings);
E. Other law enforcement agency support;
F. Military support (martial rule as per §9 of NYS Military Law);
G. Traffic control;
H. Equipment requirements;
I. De-escalation procedures;
J. Availability for command (order of precedence);
K. Post-occurrence (aftermath) duties;
L. After-action reports; and
M. Transportation.

Compliance Verification Strategies

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

1. A copy of this plan is available for review.

2. The assessors may contact any other agency(s) involved in this plan to verify this agreement.

3. Interview(s) with personnel responsible for coordinating this plan to verify their understanding of and compliance with this plan.

4. Review agency reports involving incidents when this disaster plan was implemented to verify compliance.

58.3 Continuity of Operations Plan (COOP)

OPERATIONS

STANDARD 58.3 **The agency has a written Continuity of Operations Plan (COOP). At a minimum, the COOP must:**

A. **Identify the agency's essential functions;**

B. **Address delegation of authority in the event normal chains of command are disrupted;**

C. **Address continuity of facilities, including alternate locations in the event it is impossible for employees to work within their normal facility;**

D. **Address continuity of communications should normal means of communicating be unavailable;**

E. **Include a plan for Vital Records management;**

F. **Address recovery to resume normal agency operations, and;**

G. **Include training and a review of the plan at least once during the period of accreditation to ensure the plan is sound and current.**

Commentary:

Continuity planning is necessary to ensure that the agency can continue to perform its essential functions and meet its primary mission during any number of wide-ranging emergencies and/or major disruptions to normal agency functions and processes. The state Division of Homeland Security and Emergency Services has COOP templates available to assist in drafting plans.

If an agency has the capacity to test the plan, they are encouraged to do so at least once during the period of accreditation.

Compliance Verification Strategies

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

1. A copy of the plan is available for review.

2. Documentation showing the agency's use of the plan (if applicable during the period of accreditation).

3. Interviews with person(s) responsible for coordinating this plan to verify their understanding of and compliance with (if applicable) the plan.

58.4 Emergency Mobilization Plan

OPERATIONS

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

The mobilization plan must include, but not be limited to, provisions for:

- **A. Communications;**
- **B. Alert stages;**
- **C. Primary and alternate assembly areas;**
- **D. Equipment and distribution;**
- **E. Special task force activation;**
- **F. Key personnel designations;**
- **G. Transportation requirements;**
- **H. Review of the plan at least once during the period of accreditation, and;**
- **I. Post-evaluation of the plan in the event it is utilized.**

Compliance Verification Strategies

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

1. A copy of the plan is available for review.

2. Interview(s) with personnel responsible for coordinating this plan to verify their understanding of and compliance with the plan.

3. Review agency reports involving incidents that occurred after this plan was implemented to determine whether the plan was adequate.

VI. PRISONER TRANSPORT

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Section 64 – Prisoner Transport

New York State Law Enforcement Accreditation Program

64.1 Prisoner Transport and Safety

OPERATIONS

STANDARD 64.1 **The agency has a written directive that prescribes the security and control of prisoners being transported. The directive shall:**

A. **Require the search of transport vehicles prior to and after transporting prisoners;**

B. **Require a search of the prisoner by the transporting officer before being transported;**

C. **Govern situations permitting transport of prisoners by officers of the opposite sex;**

D. **Prescribe procedures for transporting/handling sick, injured, or impaired prisoners, including acquiring medical attention as soon as reasonably possible for anyone in custody that is complaining or exhibiting any symptoms of anything that may have the potential to be life threatening (e.g. breathing difficulties, chest pain, severe lethargy, head injury); and**

E. **Identify actions for the transporting officer to take following an escape of a prisoner while being transported.**

Commentary: *The intent of this standard is to direct members in proper transporting methods to include handcuffs, restraints, seating arrangements, security and to ensure the medical well-being of prisoners to the extent possible.* ***This standard applies to any person in police custody for any reason.***

Compliance Verification Strategies

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

1. A copy of the written directive is available for review.
2. Interview(s) with agency personnel involved in the transport process to verify their knowledge of and compliance with the directive.
3. Review logs or other documentation used by the agency to verify compliance with the directive.
4. Interview(s) with medical personnel used by the agency in medical situations can be conducted to verify compliance with the directive.
5. Review agency reports involving prisoner escapes to verify compliance with the written directive.
6. If the directive involves an interagency agreement, the assessor may contact representatives of the other agencies to verify that it is in place and understood.

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GLOSSARY

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

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

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

BASIC COURSE FOR POLICE OFFICERS: A mandated school for entry level police officers that meets or exceeds the Municipal Police Training Council (MPTC) Basic Course for Police Officer s pursuant to §209-q of the General Municipal Law and 9NYCRR 6020.

CANDIDATE: A person who is being considered for any full or part time position within the agency.

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

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

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

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

ENTRY LEVEL: The state at which a person is employed by an agency in a sworn position for the first time, whether full-time or part-time.

EQUAL OPPORTUNITY EMPLOYER: An employer who ensures equitable employment opportunities and conditions for all people regardless of race, creed, color, age, sex, religion, national origin or physical defect. (Title VII of the Civil Rights Act of 1964.) Under the Extension Act of 1972 (Public Law 92-261), the federal Equal Employment Opportunity mandates were extended to state and local government agencies.

EVALUATION: The use of specific criteria to measure the performance of a program or initiative for the purpose of determining if the established objectives have been achieved.

FIELD TRAINING OFFICER: A member of a law enforcement agency who is assigned as a trainer of recruit/probationary officers and has successfully completed a Police Field Training Officer Course.

FIELD TRAINING PROGRAM: A period of training that transitions patrol officers from the academic

training received at the academy to the practical application of that training in the field.

STATE AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM: A centralized clearinghouse for fingerprint records operated by the New York State Division of Criminal Justice Services (DCJS).

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

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

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

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

GOALS: An aim or desired result; the object of an ambition or effort.

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

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

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

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

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

JUVENILE: A person under sixteen years of age.

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

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

JOB TASK ANALYSIS: The basic analytical process used to determine the skills, knowledge, training and attitudes necessary to successfully perform in a given job.

LATERAL APPOINTMENT: Any appointment of a candidate who currently holds a competitive class permanent position, having been appointed from the appropriate civil service list, and has successfully completed a period of probation of not less than one year.

LAW ENFORCEMENT AGENCY: For the purposes of accreditation, any agency or department of any municipality, any police district, or any agency, department, or commission, authority or public benefit corporation of the State of New York employing a police officer or police officers as that term is defined in paragraphs (a), (b), (c), (d), (e), (f), (j), (k), (l), (o), (p) and (s), of subdivision thirty-four of section 1.20 of the criminal procedure law. Reference: Article 36, §846 -h, 9. (a) of the New York State Executive Law.

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

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

MEDICAL AND PHYSICAL FITNESS STANDARDS AND PROCEDURES FOR POLICE OFFICER CANDIDATES: Standards prescribed by the Municipal Police Training Council.

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

MUNICIPAL POLICE TRAINING COUNCIL: A committee of law enforcement professionals responsible for making recommendations to the Governor regarding police training standards (§839 of the Executive Law).

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

LESS-LETHAL WEAPONS: Any weapon or instrument intended to be less likely to kill a living target than conventional weapons.

OBJECTIVES: A specific series of steps taken to meet a certain goal. Objectives are actionable and measurable.

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

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

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

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

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

PATROL PERSONNEL: Sworn officers assigned to general day-to-day police activities including the deterrence of criminal activities, enforcement of vehicle and traffic laws, responding to calls for service, investigating reported crimes and providing of police services to the community.

PERFORMANCE EVALUATION SYSTEM: A formal process used to measure the level of effectiveness of an employee with regard to job-related objectives. A Performance Evaluation System includes a standard evaluation form; standard performance measures; guidelines for employee feedback; and follow-up in cases where there is a need to improve performance.

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

POLICE OFFICER: For the purposes of the Accreditation Program, any of the persons defined as police officers in paragraphs (a), (b), (c), (d), (e), (f), (j), (k), (l), (o), (p) and (s), of subdivision thirty-four of section 1.20 of the criminal procedure law. Reference: Article 36, §846-h, 9. (a) of the New York State Executive Law.

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

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

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

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

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

PROPERTY AND EVIDENCE AUDIT: A review and examination of property inventory and related documentation to ensure compliance with established written directives and to recommend changes to those directives if necessary.

PROPERTY AND EVIDENCE INVENTORY: Matching a piece of property or evidence to a list.

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

RECRUIT OFFICER: Any officer who has not been granted a Municipal Police Training Council Basic Course for Police Officers certificate (or equivalent) or has not been granted permanent status.

REHIRE: The appointment of a person who was previously employed by the agency.

RULES AND REGULATIONS: Restrictive and specific written directives intended to cover situations in

which no discretion can be permitted. Rules and Regulations may be characterized by such words as "will", "shall", or "must".

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

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

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

SECURE: Refers to things that are safe from access by unauthorized personnel or others without using extraordinary and non-conventional means to gain access.

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

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

SEXUAL HARASSMENT: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

SOCIAL MEDIA: Websites and applications that enable the creation, sharing and exchange of user - generated content including, but not limited to: on-line forums, blogs, pages, posts, profiles, records, social networks, etc.

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

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

SPECIALIZED POSITIONS: Positions that are characterized as having an added level of responsibility in a specialized area, usually requiring specialized training. Examples of these positions may include, but not be limited to, SWAT team, canine officer, fingerprint examiner, bomb disposal officer, etc.

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

STAFFING TABLE: A graphic representation of all organizational jobs and the number of employees currently occupying those jobs. A staffing table may also include future employment requirements derived from demand forecasts.

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

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

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

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