



***Delaware
Police
Accreditation
Commission***

PROCESS

&

***ADMINISTRATIVE
MANUAL***

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Delaware Police Accreditation Commission
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LIMITATION OF LIABILITY

The Delaware Police Accreditation Commission, an approved commission of the state of Delaware, makes no warranty, expressed or implied, for the benefit of any person or entity with regard to any aspect of standards contained herein. These standards were adopted for the sole use of the Commission for the exclusive purpose of their application to the agencies seeking to obtain or maintain accreditation, there being no intended third party beneficiaries hereof, expressed or implied. Nothing herein shall be construed so as to create any right, cause, property interest, or entitlement on the part of any applicant agency or third party. These standards shall in no way be construed to be an individual act of any commissioner, director, employee, agency, member, individual, or a legal entity associated with the Commission, or otherwise be construed so as to create any liability in an individual or official capacity on the part of any commissioner, director, employee, agency, member, individual, or an legal entity associated with the Commission.

CHAPTER I

Introduction to Accreditation

and

Evolution of the State Program

The Evolution of Law Enforcement Accreditation

1.1 What is Accreditation?

An Accreditation Program has long been recognized as a means of maintaining the highest standards of professionalism. Accreditation is the certification by an independent reviewing authority that an entity has met specific requirements and prescribed standards. Schools, universities and hospitals are some of the most well-known organizations that are required to maintain accreditation.

Accreditation is a progressive and time-proven way of helping law enforcement agencies calculate and improve their overall performances. Participating agencies conduct a thorough self-analysis to determine how existing operations can be adapted to meet those objectives. When the procedures are in place, a team of trained assessors verifies that applicable standards have been successfully implemented.

Accreditation acknowledges the implementation of policies and procedures that are conceptually sound and operationally effective. Accreditation status represents professional achievement.

Police Accreditation is a self-initiated, evaluation process by which departments strive to meet and maintain standards that have been established by the profession. These standards cover areas of police management, operations, and technical support, as well as activities such as policy development, emergency response planning, training, communications, property and evidence handling, use of force, vehicular pursuit, prisoner transportation and holding facilities.

Police certification and accreditation reassures the general public that the law enforcement profession is prepared, professionally trained, effectively equipped and ready to handle future emergencies and calls for service. Agency preparedness begins with having a current written directive system that incorporates "best business practices" into agency policies and operational plans. Accreditation verifies that the agency is complying with these "best practices".

An accreditation program gives an agency blueprints on how to run a police department.



1.2 How It Began

The Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA®) was created in 1979, with a \$400,000 grant from Congress, as a credentialing authority through the joint efforts of law enforcement's major executive associations:

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

The purpose of CALEA's Accreditation Programs is to improve the delivery of public safety services, primarily by: maintaining a body of standards, developed by public safety practitioners, covering a wide range of up-to-date public safety initiatives; establishing and administering an accreditation process; and recognizing professional excellence. The body of standards were developed using source materials voluntarily submitted by pre-existing state programs and by many state and local law enforcement agencies nationwide. Those standards were based on case law, state statutes, administrative mandates, model policies and professional management materials. Initially there were **944** standards developed for implementation into the program. Today there are over **450** standards.

Initially, CALEA's goals were to:

- Strengthen crime prevention and control capabilities;
- Formalize essential management procedures;
- Establish fair and nondiscriminatory personnel practices;
- Improve service delivery;
- Solidify interagency cooperation and coordination; and
- Increase community and staff confidence in the agency.



CALEA, through the assistance and guidance of the four major police associations in the nation, has established accepted and legally defensible standards of policing.

We can be proud that 9 Delaware agencies are nationally accredited through CALEA. This gives the State of Delaware the highest percentage of CALEA accredited agencies in the nation.

1.3 Benefits of Accreditation

- Improves** officer and public safety
- Addresses** high risk management Issues
- Promotes** operational efficiency through policy development
- Provides** a norm for the agency to judge its performance
- Provides** a basis to correct deficiencies before they become public problems
- Requires** agencies to commit policies and procedures to writing
- Promotes** accountability
- Verifies** compliance
- Provides** a means of independent evaluation of agency operations
- Minimizes** an agency's exposure to liability
- Potentially **reduces** liability insurance costs



- Enhances the reputation of the agency, thereby attracting the best qualified candidates for employment
- Increases public confidence

1.4 Why Small Departments Seek Accreditation

The following is an article written for the Delaware Police Chiefs' Council in 1984 by Kenneth H Medeiros, then Executive Director of CALEA, for a manual being developed by the Delaware Police Chiefs' Council entitled "Administration of Small Police Departments:"

"In less than two years, more than 300 law enforcement agencies in the U.S. have stepped forward to commit themselves to becoming accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc. Of that 300 plus, nearly half of them have less than 60 full-time employees.

Oftentimes, small agencies are hard pressed to meet the demands that each day brings upon their agency, let alone take on a full-scale review of their policies, administration, operations, and support services.

What motivates these small departments to seek accreditation?

Answers vary. But, a look at the comments of the executives and employees in the smaller agencies that have achieved accreditation (to date 12 agencies are accredited in the U.S.; five of the 12 have less than 60 full-time employees) provides several valid insights.

Be Sure of Excellence: The most frequently cited reason for seeking accreditation is to be sure they are as good as they thought. Furthermore, if there are shortcomings, they want to correct them before problems arise. Others feel that accreditation not only assures the agency executive and employees of its excellence, but by raising the visibility of the agency, civic leaders and the community as a whole are reassured of the professional level of their law enforcement.

Direct Control: As one chief put it, he prefers to have the agency establish its policy and procedures, not court decisions.

Community Pride: A local businessman in an accredited community adds that the public's perception of the police has changed. Pride and confidence have replaced criticism and doubt about the quality of local law enforcement.

Efficient Source of Information: It takes time to organize policy and locate directives. Yet, each accredited agency administrator appreciates the net result – a single, well-organized, clearly-written source (in some instances law enforcement executives found that some of their good policies and practices had never been spelled out – just assumed) to guide the agency.

A Double Check: Other agencies have been surprised to learn that even though small in size, some things slip through the cracks. They are relieved to know that they have applied an "ounce of prevention."

Access to Examples: There is no need for any agency to spend time reinventing the wheel. As an agency works to meet each standard required for accreditation, it can turn to the Commission for information on programs and policies from agencies of similar size and responsibility that are appropriate for replication and/or modification.

The Commission, upon request, can place an applicant agency in touch with accredited agencies of the same size who have agreed to share their developmental informational.

Know What's Expected: The two-stage accreditation process – self-assessment based on Commission materials, and on-site evaluation by a team of Commission - trained assessors – is exacting, but achievable. One chief compared the process to “examination under a microscope.” But, agency employees, as well as leaders, emphasize the value of time spent clarifying responsibilities and defining procedures. They like knowing what is expected and what to expect.

Reason for Upgrading: In the long run, accreditation is proving to be well worth the direct and indirect costs. And, for some, accreditation provides the convincing reason to upgrade some aspect of the agency.

Facing the Costs: Initially, the accreditation fee can be a big stumbling block for small agencies. (The fee for agencies with nine or less full-time employees are \$3,800; 24 or less, \$5,500; 49 or less, \$5,600). How does an agency squeeze the dollars out of an already tight budget?

The following **funding assistance suggestions** come from small agencies currently working toward accreditation:

- Divide the fees over two fiscal years since from start to finish accreditation is likely to take that long.
- Seek support from local businesses and foundations.
- Apply for National Highway Traffic Safety Administration Section 402 funding assistance.

Cutting Costs: To offset staff costs, some agencies are involving criminal justice majors from local colleges as interns, and using volunteer clerical assistance in the accreditation process.

Steady Effort Wins: In general, small agency heads are approaching accreditation in tortoise fashion – they are setting aside a manageable number of hours each week to work on accreditation because they are convinced that a few regularly scheduled hours will ultimately bring them to their goal..."

One may note that little has changed since the writing of this article until today regarding the need for and benefits of accreditation.

1.5 The Problem

Since the CALEA Program is such a great idea *why aren't all departments doing it?*

Unfortunately the cost is greater than most departments can squeeze out of their budgets and personnel resources may be inadequate. For a small department the costs can vary but on average can run higher than they initially anticipate.

CALEA Assessment Fee	\$7,500.00
CALEA Annual Fee (non-assessment years)	250.00
CALEA Training Costs (1 person) not including transportation or per diem	904.00
CALEA Accreditation Awards (3 persons) does not include any training seminars, transportation costs or per diem	1,057.00
Approximate cost of facility upgrade	<u>2,500.00</u>
Total	\$12,461.00

Again, this total does not include transportation to and from the training seminars or per diem. Nor does it include the hidden cost of manpower or administrative costs, such as paper, folders, research, file cabinet(s), etc. (Remember there are 450+ separate files to maintain).

The cost is daunting and pretty much unattainable for most small departments. Many of the facilities currently housing these agencies would have to be remodeled or rebuilt in order to bring it into CALEA compliance. CALEA has attempted to reach out to the smaller sized departments and offered a CALEA Recognition Program which costs significantly less. The initial cost for the recognition program is \$2,500.00 with an annual fee of \$250.00, as well as the same training costs. However, for an even smaller fee, a state accreditation program can provide similar service with the professional benefits.

1.6 Why a State Program?

The Delaware Police Chiefs' Council is among the majority of state associations that have developed a state accreditation program with considerably reduced fees while at the same time retaining the professional requirements of an accreditation program.

Most of the smaller agencies in Delaware do not have the funding required or the personnel resources to participate with CALEA but still want a process whereby they can participate in accreditation. The size of the agency does not diminish the zeal for their quest of excellence. A state accreditation program will fill the gap for those agencies that do not have the monetary means to achieve the CALEA certification.

Through a State Accreditation Program, these agencies can still maintain a high standard of policies, conduct, and professionalism. They would have a pool of legally sound information from other agencies in the program that would equip them to better defend themselves against litigation. They would have access to a trained, outside entity inspecting their agency. They would know exactly what is expected of them and in the long run they would establish community pride and confidence.

State programs are intended to get the smaller departments started in the direction of excellence and remove the stigma that it's "too big to tackle." All agencies would ultimately be encouraged to apply to CALEA for the national accreditation status.

1.7 Where We Stand Today

The Delaware Police Accreditation Commission was created and developed as a result of the efforts of the Delaware Police Chiefs' Council to improve the delivery of police services to the citizens of Delaware. Police agencies in Delaware range from 2 to 650 sworn officers. Some of the larger agencies are members of CALEA and receive national accreditation through that agency. Most of the small agencies do not have the funding required or the personnel resources to participate with CALEA but still want a process whereby they can achieve accreditation.

The Police Chiefs' Council recognized this fact and since 1979 have been working on developing a ***state accreditation process***. This process is modeled after several states that developed their programs in response to the same concerns that Delaware currently has. Programs from Virginia, Florida, Kentucky, Alaska, and Pennsylvania were used as models to create Delaware's process. However, the process this Commission will develop will reflect a program that is tailored for Delaware law enforcement.

101 standards related to professional policing were adopted by the Police Chiefs' Council and those standards have been approved by the Delaware Police Accreditation Commission (DPAC). The legislation, establishing this Commission is a great leap forward in the development of Delaware's accreditation process. While there is still much work to do, the creation of this group of civilian and police professionals, who will guide this process to completion, is a momentous occasion for Delaware law enforcement. The hard work and diligence of the Delaware Police Chiefs' Council will enable every police agency in the State of Delaware to enhance their professional character.

The DPAC is active in its mission to advance law enforcement professionalism through the establishment of professional standards and the administration of a formal mechanism by which Delaware agencies can be systematically measured, evaluated, and updated.

CHAPTER II

The Commission

2.1 The Commission:

Title 11 - Crimes and Criminal Procedure
Chapter 97
Establishment of the Delaware Police Accreditation Commission

§ 9701 Legislative intent.

WHEREAS, the safety of all Delawareans is of paramount importance; and

WHEREAS, municipal, county, university, and Delaware River and Bay Authority police departments, in addition to the Delaware State Police and other State agency police departments, provide a critical role in protecting the lives and property of the citizens of

Delaware; and

WHEREAS, many smaller police departments within the State do not have the resources or manpower to complete the rigorous standards issued by the Commission on Accreditation of Law Enforcement Agencies, Inc.; and

WHEREAS, the effectiveness of public safety departments would be better served by a statewide accreditation council and standards achievable by a majority of the departments; and

WHEREAS, the citizens who reside in those jurisdictions would benefit by those departments achieving State accreditation and maintaining those standards; and

WHEREAS, the establishment of Delaware standards for a State accreditation program requires statewide coordination and leadership.

(76 Del. Laws, c. 231, § 1.)

§ 9702 Establishment of the Delaware Police Accreditation Commission.

(a) The Delaware Police Accreditation Commission (hereinafter “the DPAC”) is hereby created.

(b) The DPAC is comprised of the following 12 members serving by virtue of position, or a designee appointed by the member, as follows:

- (1) The Attorney General.
- (2) The President Pro Tem of the State Senate.
- (3) The Speaker of the House of Representatives.
- (4) The Chairperson, Delaware Police Chiefs’ Council.
- (5) The Superintendent, Delaware State Police.
- (6) The Colonel of the New Castle County Police.
- (7) The Chairperson, Sussex County Chiefs organization.
- (8) The Chairperson, Kent County Chiefs organization.
- (9) The Chief of Police, City of Dover.
- (10) The Executive Director, Delaware League of Local Governments.
- (11) The Secretary of the Department of Safety and Homeland Security will serve as Chair, but may not vote unless necessary to break a tie.
- (12) The Chief of the Wilmington Police Department.

(c) A designee of a member serves at the pleasure of the member that appointed the designee.

(d) The Chairperson of the DPAC may form subcommittees consistent with the needs of the DPAC to address police accreditation issues including technical support, operations support, and training support. The subcommittees may include individuals who are not members of the DPAC, but who have an interest or expertise in police accreditation issues. Each subcommittee shall be chaired by a member of the DPAC.

(76 Del. Laws, c. 231, § 1; 70 Del. Laws, c. 186, § 1; 81 Del. Laws, c. 260, § 1; 82 Del. Laws, c. 141, § 8.)

§ 9703 Specific functions, bylaws.

The purpose of the DPAC shall be to provide policy level direction and draft and implement state level police accreditation standards for matters related to accreditation. To that end, it shall:

- (1) Develop a statewide police accreditation program.
- (2) Develop standards for the police accreditation program to ensure consistency of police operations statewide.

- (3) Promote cooperation among state, municipal, university, and Delaware River and Bay Authority police agencies in addressing statewide accreditation needs in Delaware.
- (4) Provide recommendations to the Governor and the Delaware General Assembly, when appropriate, concerning issues related to state level police accreditation standards in Delaware.
- (5) The DPAC shall operate in accordance with bylaws that it adopts. These bylaws may be amended, supplemented, or repealed by the DPAC in accordance with the Freedom of Information Act, Chapter 100 of Title 29.

(76 Del. Laws, c. 231, § 1.)

(Original Bill HB #47, 144th GA)

2.2 Staffing For Program Development

The Professional Standards Board of the Delaware Police Chiefs' Council will be an official subcommittee of the Commission. It will be directly responsible for reviewing all applications from police agencies and verifying that a submitting agency has complied with the basic core standards for accreditation. The subcommittee would then recommend to the Commission that the agency continue to work towards accreditation.

The Professional Standards Board would be responsible for further developing and implementing the processes of submitting initial applications as well as establishing, reviewing, and updating standards for accreditation.

2.3 Staffing for Assessors

The DPAC will work directly with the Delaware Police Chiefs' Council on maintaining a pool of eligible assessors adequate for conducting DPAC accreditation matters.

2.4 Meetings

The Commission shall meet at least two times during the year. Special meetings of the Commission may be called by the Chairperson. Members of the Commission will be notified not less than thirty (30) days prior to all regular meetings. Written notice of special meetings shall be mailed not less than fifteen (15) days prior to the meeting and shall state the purpose(s) of the meeting.

All meeting notices and agendas will be posted on the Public Meeting Calendar.

All meeting minutes will be posted on the Public Meeting Calendar as required by Del. Code Title 29 – Chapter 100 § 10004 (f).

CHAPTER III

The Initial Steps of the Accreditation Process

3.1 Is accreditation right for you?

As Chief Officer (hereafter referred to as Chief) you may decide to proceed with the accreditation process for several reasons. It is important that you are aware of the complexity of the task process and willing to be supportive of the Accreditation Manager (AM). Without the Chief making it clear to all members of the organization that accreditation is a priority, it will be extremely difficult for the AM to get the job done. It is strongly suggested that your decision to seek accredited status has the concurrence and support from your Mayor and Council.

3.2 Select an Accreditation Manager (AM)

Initially the Chief needs to designate an Accreditation Manager. There are several factors to consider when choosing an AM. The Chief should appoint an individual whom:

- Has an interest in doing the job
- Is computer literate
- Is organized and efficient in their present job tasks
- Is capable of writing clearly and concisely
- Is capable of formulating drafts of agency policy standards
- Is capable of dealing effectively with all levels of agency management
- Is willing to work the long hours that accreditation activities demand
- Is innovative and willing to change

3.3 Accreditation Manager Training

Training can be informal, such as developing a relationship with the AM of another agency who can walk you through the process step-by-step and be available as questions about process, procedure, and file development arise. However, formal training is recommended.

3.4 Notify Staff

A memo to the staff from the Chief is a “must do” step in the initial accreditation process. The Chief should advise all agency personnel what accreditation means to the agency, generate enthusiasm for the process and advise of the steps needed to complete the process. In addition, the AM’s authority when dealing with accreditation issues and timelines should be addressed and recognized. In small departments, a departmental meeting to advise of the accreditation effort, is desirable.

3.5 Letter of Intent to seek accreditation

Letter of Intent

Complete a letter of intent. This is simply a formal notice to the Commission that the agency has clearly reviewed the program process, requirements, and goals with appropriate agency personnel and jurisdictional authorities and is now requesting Commission consideration to further the accreditation endeavor.

The Letter of Intent should be signed by both the Chief and appropriate governmental representatives. Agencies may want to consider using a public meeting to sign and recognize this step. By doing so, the public can be made aware of the commitment by the agency, as well as receive publicity.

Upon receipt, this Letter of Intent will be reviewed by staff who will then respond to the law enforcement head who signed the letter.

3.6 Department Profile

This information is helpful to the DPAC (also to the Professional Standards Committee in determining the type of assistance which may be available to the applicant agency). The profile needs to be sent along with the Letter of Intent, Application and application fee. The profile is attached at the end of this document.

3.7 Formal Application

Upon receipt of the Letter of Intent, profile, Application and application fee, the DPAC will then respond to the agency by letter and acknowledge their commencement of the process.

CHAPTER IV

FILE DEVELOPMENT AND ORGANIZATION

4.1 Compliance File Construction

Proving compliance with the standards is the agency's responsibility. The agency must develop and compile proofs of compliance necessary for assessors to determine compliance. Agencies are urged to focus on documenting compliance by supplying written directives and other written documents. Interviews and observations may supplement written documentation and in some instances may serve as primary proofs of compliance.

Achieving compliance will involve building files for each standard. The agency must comply with 100 per cent of the standards.

4.2 File Organization

The agency must establish a separate file folder for each standard and clearly identify the standard number on the folder. Each folder must include a **Standard Compliance Form** (SCF) followed by primary and secondary proofs of compliance, if applicable. Each SCF will contain the standard number, the actual standard, compliance keys, and the agency's list of compliance proofs. Blank SCF(s) can be made available.

Your Written Directives state that the agency performs the function described in the standard. Primary proofs may include agency general orders, special orders, standard operating procedures, policy manuals, ordinances, plans, rules, training directives, state laws, court orders, photographs, and memoranda that are binding on agency members. The agency should highlight and place in the file only specific parts of the directive(s) that prove compliance.

Documentation shows by example that the agency actually does the activity stated in the directive. Documentation may include memoranda, newspaper articles, instructional material, photographs, and completed logs, rosters, evaluations, reports, and forms.

Behind the SCF, Assemble the proofs of compliance documentation in the order listed on the SCF. If only a portion of a document is relevant to the standard, highlight that part only by underlining it or by coloring it with a transparent marker. Some standards contain "bulleted" letters, each requiring its own proof of compliance, and a system must be created to distinguish the lettered items from one another. This may be accomplished by lettering and highlighting the relevant portion of the proofs of compliance. Only the sections of a document that serve as the proof should be numbered and/or highlighted.

This system for identification, along with adding the standard number to the document, will enable agency staff and on-site assessors to quickly link a given standard, or portion of a standard, with the appropriate proof of compliance.

Agencies may find it useful to create a listing that cross-references standards with their applicable compliance documentation and vice versa.

4.3 Folder Organization

In order to streamline the assessment process, you need to set up your files in a consistent manner. Each folder should be labeled with the standard number and title on the tab, along with the cover. Documentation should then be filed in the order listed on the Standard Compliance Form (SCF). The Standard Compliance Form should lay loose in the folder and be the first piece of paper in the file. A copy of a SCF is attached at the end of this document.

If there are bulleted items in the standard, these items should be separated by a page titled with the bullet number. You should highlight relevant text within documents, please be consistent with the highlight method.

Setting up the folders is the easy part, now you can begin filling them. Each folder should have a copy of the applicable standard, related policy, completed Standard Compliance Form (SCF) and proof of compliance in format capable of filing.

A computer workspace, along with a file cabinet dedicated to the task is necessary. A review of other programs has revealed that color coded files seem to be the easiest and most accepted method of identification (red for Administration, blue for Operations, etc.)

4.4 Examples of Folders

Sample copies of folders from various Accredited Agencies with complete standards, proofs, and other necessary documentation will be available at all times.

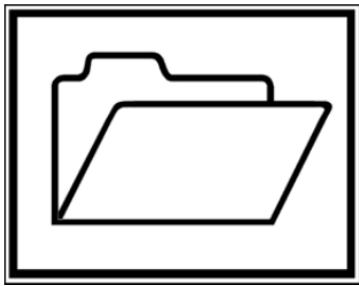


Figure 1

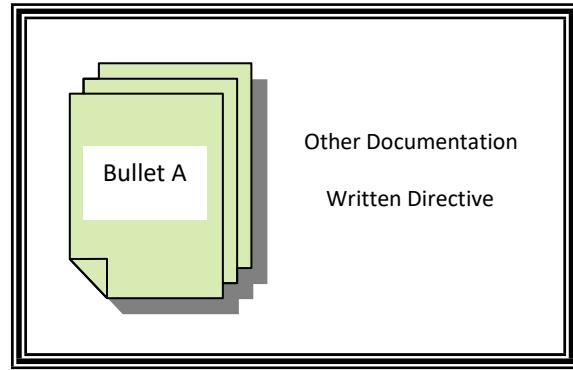


Figure 2

4.5 Schedule briefings for all staff.

Share the standards with each applicable staff member so they are aware of the procedures and corresponding documentation that is expected of their prospective units.

CHAPTER V

THE STANDARDS CATEGORIES: AN OVERVIEW

5.1 The Categories of Standards

The standards are divided into four areas: Organization and Management Role, Law Enforcement Functions, Custody and Support Service Functions.

5.2 Organization and Management Role

The Organization and Management Role covers those law enforcement assignments that are involved with the administration of the organization. These standards address the agency role, authority, direction, personnel selection and training, planning, and managing the department. These standards address the functions of the organization that do not normally result in direct law enforcement services to the community.

5.3 Law Enforcement Functions

The Law Enforcement Functions section covers those areas where direct service delivery of law enforcement services is most often found. Examples include Patrol, Unusual Occurrences, Traffic and Prisoner Security.

5.4 Custody

The Custody Chapter helps to define policies concerning searching and transporting prisoners and cell area procedures. This chapter also covers court security when it is applicable.

5.5 Staff Support Functions

Staff Support Responsibilities are devoted to those policies that govern the support services that are necessary for a law enforcement agency to function. Standards in this section deal with Communications, Evidence Collection, Property Control, etc.

5.6 Numbering System

The standards are numbered according to their placement within the chapter and section to which they apply. In Figure 1, the standard number is 1.2.2. The 1 refers to the chapter, Organization and Management Role. The first 2 refers to the section within the first chapter, Limits of Authority. The final 2 corresponds to the chronological order of the standard within this section.

5.7 Components of the Standard

Standard Statement: In figure 1, the standard is identified by its specific number, 1.2.2. Following the number is the standard statement. The standard statement can be several sentences long and will describe the crux of the requirement. In some cases, such as in the example we are using here, the standard statement also contains several bullets. This standard has three bullets, a, b and c. The bullets indicate specific points that must be addressed in the agency's directive (policy statement) for compliance.

5.7.1 Narrative Statement

Following the standard statement is a narrative statement. These narratives were developed by the Commission to more fully define the intent of the particular standard. However, for assessment purposes, you are only required to comply with the standard statement.

Figure 1

1.2.2. A written directive governing procedures for assuring compliance with all applicable constitutional requirements for in-custody situations, including, but not limited to:

- a. interviews and interrogations;
- b. access to counsel; and
- c. Search and seizure.

Commentary: These constitutional requirements, federal and state, are vital to the role and function of law enforcement in a free society. By complying with these constitutional requirements, law enforcement officers and law enforcement agencies ensure fair, legal and equitable treatment of all people.

5.7.2 Multiple Components Within a Standard

The standard statement may contain more than one requirement. In Figure 1, you will see the standard statement includes three bulleted items. Each of these bulleted items or parts of the standard will require a proof of compliance.

5.8 Standards Containing the Word “IF”

Some Standards may be “if” standards. See Figure 2 For instance, if the law enforcement agency does not allow the discharge or use of “warning shots,” the agency is not required to develop a detailed policy regarding the prohibited discharge of “warning shots” as stated in Standard 1.3.3. However, the agency must develop a written policy statement (written directive) regarding the prohibition of discharging “warning shots.”

Figure 2

1.3.3 If the law enforcement agency permits the use of firearm “warning shots” by agency personnel, the agency shall have a written directive governing their use. Otherwise, the agency shall have a written directive prohibiting the discharge of “warning shots” by agency personnel.

Commentary: If “warning shots” are permitted by the agency, then it is necessary for the agency to define under what circumstances. Otherwise, the directive should prohibit the discharge of “warning shots” by agency personnel.

Sometimes the “if” standard will be self-evident, even without the word “if,” such as in Figure 3.

Figure 3

3.3.1 A written directive requiring the agency personnel receive training on the operations of the cell area, to include the use of fire suppression and other emergency equipment provided by the agency.

If your law enforcement agency does not manage or operate a cell area, as defined by Commission regulations, you are not required to develop a directive or policy that would be required for this standard or the other standards relating to cell areas.

Standards 3.3.1 through 3.6.3 address the required standards relating to cell areas.

5.9 Standards Not Applicable to Agency

If your agency does not offer a service or function as required in a standard, then this standard does not apply to you and may be marked NA. For example, refer to Figure 3 in the previous section. If your agency does not have cells, then your agency would simply mark NA on the Standard Compliance Form (SCF). A folder still needs to be created for each standard whether applicable or not, but the SCF can simply be marked NA. In each of the four (4) folders the NA standards that the agency is claiming shall be placed. If an agency were claiming two NA standards in Chapter 1, they would be placed in one folder at the front of the Chapter section. If the agency were claiming four NA standards in Chapter 2, they would be placed in a folder at the front of Chapter 2 and so on for Chapter 3 and 4.

CHAPTER VI

PROVIDING COMPLIANCE WITH THE STANDARDS

6.1 Self-Assessment

The self-assessment should begin as an exercise in comparison. Once the filing system is organized, the AM starts comparing current agency policy to the accreditation standards. Most managers quickly come to the conclusion that the agency is closer to compliance than anticipated. Law enforcement adapts to the ebb and flow of legislative changes and agencies adopt policy that is consistent with the law. As the Accreditation Manager compares what must be covered for the accreditation purposes, he/she will probably find that some fine-tuning is necessary. One of the biggest mistakes committed by new Accreditation Managers is in rushing the job. There is a generous two-year time limitation, with extensions granted on request, on the DPAC changes in agency policy into the hands of those it effects as quickly as possible. Use of force, pursuit driving, property and evidence control, arrest procedures, etc. are some of these high liability areas.

6.2 Compile Supportive Documentation

There are several ways to prove compliance on just about every standard.

Accreditation Managers are not bound by conventional wisdom when it comes to proving compliance to standards. The Standard Compliance Form (SCF) designates six types of proofs of compliance: written directives, written documentation, other documentation, interviews, observation and individual standard status reports.

6.2.1 Written Directive

A policy of the department issued by the Chief or designee as an order, generally codified in the General Operating Manual. This may also include state law or any other official codified ruling.

6.2.2 Other Documentation

May include photographs, video, log sheets, agency forms, training rosters, evidence bags or a number of other items. The key element in this category is that the proof does not require specific action be taken, but is an instrument of the person taking the action.

6.2.3 Interviews

Will be conducted by the assessment team. The Manager may want to list individuals on the SCF who are most knowledgeable about the agency action in a specific area. For example, the director of personnel for the jurisdiction may be listed as a potential interview to prove compliance with the certain personnel standards. The lead dispatcher may be listed as the best source of information on dispatch responsibilities during high speed pursuits. Listing the names of individuals does not insure that the assessment team will interview the person. However, if the team does choose to interview the suggested person, the Manager has already supplied them with the name (and proper spelling) of the interviewee. This makes the assessor's job easier and that makes the assessment go faster.

6.2.4 Observation

This is the final category on the SCF. This type of proof is the easiest for the assessor and probably the least utilized. There are several standards where simply observing the action or a piece of equipment is proof that the agency is in compliance with the standard. Standards addressing markings on agency vehicles, alternate sources of power for communications equipment or instructions for citizen complaints are examples of observation compliance.

6.2.5 Individual Standard Status Reports (ISSR's)

CALEA accredited agencies may submit their ISSR's (equivalent to Delaware Standard Compliance Form) as documentation proofs. (Proofs must be provided for any time period that is not concurrent with the submitted (ISSR's. Additionally, DLEAC assessors may request to see the proofs of compliance indicated on the submitted ISSR's)

Accreditation Managers should also be aware that the best assessors do not settle for a single proof of compliance unless it is overwhelming in nature. The wise Manager will list proofs in at least two categories, and in some cases, all four categories. The more ways a Manager can show the agency is truly doing what they say they are doing, the better. The assessors will be looking to find compliance with the first few items they look at in the folder. Having additional proofs will never hurt, but not having enough is a common shortcoming.

6.3 Train Agency Personnel in Policy Changes

Whenever appropriate, the Manager should utilize the briefing schedules set up early in the process. The Manager may want to have other agency personnel present the changes (including the Chief or other high ranking officer) or may simply coordinate with shift commanders. The important point is that agency personnel know about newly adopted policy as soon as possible. Any new policy should include a training component for those it affects, the AM should remember that the assessment team may desire to interview agency rank and file on the particular issue addressed.

6.4 Annual Compliance Survey for Accredited Agencies

Ongoing file maintenance is a critical part of the accreditation process. The Delaware Police Accreditation Commission requires reports on accreditation activities annually. Program staff shall receive these reports within 30-days of your accreditation anniversary date.

Any accredited agency that is unable to maintain full compliance with any of the program standards shall notify program staff within 30-days. Agency officials who have questions about standard compliance or program requirements are also expected to contact program staff. If the issues cannot be resolved by phone or through the mail, the agency's chief executive officer can request an on-site review of folders and records by program staff to help resolve any problems.

The Delaware Police Accreditation Commission may require chief executive officers of accredited agencies to submit documentation that clearly demonstrates the agencies' ongoing compliance with selected standards. Should the review of these selected files indicate that the agency is out of compliance, program staff will offer to meet with appropriate staff members to discuss the agencies' maintenance activities.

CHAPTER X

FORMS

DELAWARE POLICE ACCREDITATION COMMISSION

LETTER OF INTENT AND DEPARTMENT PROFILE

Department _____

Address _____

Telephone _____ County _____

Chief (CE) _____

Telephone Department _____ Cell _____

E-mail _____

Accreditation Manager _____

Telephone Department _____ Cell _____

E-mail _____

ACCREDITED STATUS

Is or has your department ever been accredited by the national accreditation program?

____ Yes ____ No Year(s) _____

AGENCY SIZE

Authorized Sworn _____ Full Time _____ Part Time _____

Authorized Civilian _____ Full Time _____ Part Time _____

Auxiliary Officers If agency utilizes auxiliary officers, indicate the number and briefly describe their duties.

The _____ Police Department wishes to participate in the DPAC's State Accreditation Program.

Date

Signature of the Chief of Police

INDIVIDUAL STANDARD COMPLIANCE FORM (SCR)

AGENCY: _____

STANDARD NUMBER: _____

ASSIGNED TO: _____

PREPARED BY: _____

 OFF SITE ON SITE**RESERVED FOR ASSESSOR USE ONLY**

- COMPLIANCE VERIFIED
- NONCOMPLIANCE
- OTHER STATUS
- N/A BY SIZE OR FUNCTION
- WAIVER APPROVAL VERIFIED

Mandatory Standard – Compliance Page 1**DPAC Standard:****Written Directive:****Written Documentation:****Observation of:****Interview With:****FOR ASSESSOR USE ONLY**



Delaware Police Accreditation Commission

ANNUAL COMPLIANCE SURVEY FOR ACCREDITED AGENCIES

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Agency Name:

Date of Accreditation:

Date of Re-Accreditation:

Annual Report No.:

Report Due on:

I. Compliance Monitoring Activities

1. What is the role of the chief executive officer in monitoring compliance with program standards at your agency? Please describe those steps that the CEO takes to ensure that officers are following procedures required for accreditation and that appropriate records are being added to program files to keep them up-to-date. (750 characters or less)

2. Please describe any formal role that other senior staff or supervisory personnel have in ensuring that the agency is complying with all program requirements. Be sure to specify how often these individuals meet to review program requirements. (750 characters or less)

3. Is your agency accreditation manager the same person who had this role when your agency was accredited and/or when it last submitted an annual compliance survey?

Yes No If no, please provide the name and rank of the current accreditation manager.

4. Please describe the activities of the agency accreditation manager and, if applicable, other support personnel who are responsible for maintaining the Accreditation Program files. Please describe the steps that the individual takes to ensure that the agency can demonstrate ongoing compliance with applicable standards and how often the files are updated with supporting documentation. (750 characters or less)

5. The Delaware Police Accreditation Commission strongly recommends that accredited agencies conduct an annual audit 30-days prior to completing this survey to ensure that all files are complete and up-to-date. Please indicate whether or not your agency has done such an audit. If so, briefly summarize the results. Also describe any other activities that your agency conducts to monitor and enforce compliance with applicable standards. (750 characters or less)

II. Compliance with Program Standards

1. The Delaware Police Accreditation Commission has adopted a policy that requests accredited agencies to report incidents of non-compliance to program staff within 30-days of the date that the agency is no longer in compliance. Please describe any procedures that you have established to ensure that this request would be met in a timely manner in the event that it should ever become necessary. (750 characters or less)

2. Is your agency currently in full compliance with all applicable standards?

Yes No If no, please provide the following information for each standard that the agency is not fully implementing:

- a. The standard number;
- b. Reason (s) for non-compliance;
- c. The length of time for which the agency has not been in compliance; and
- d. A plan and timetable for re-establishing compliance. (750 characters or less)

3. Have there been any instances during the past 12 months when you feel that your agency may not have been in full compliance with an applicable standard? If so, please describe the circumstances and indicate whether or not the agency is currently in compliance. (750 characters or less)

4. Do program files for every applicable standard include documentation which demonstrates that the agency has been in full compliance during the preceding 12 months except where indicated above? If not, do the files clearly indicate where appropriate documentation is stored or available for review?

Yes No If no, please explain. (750 characters or less)

5. Were there any developments during the past 12 months that had a substantial impact on the way in which your agency implemented program standards (e.g., layoffs, budget cuts, a major internal reorganization, etc.)? If so, please describe and indicate how it affected the way that your agency complied with applicable standards. (750 characters or less)

6. Has your agency rewritten policies or procedures in a way that have significantly changed the manner in which you are complying with a program standard? Please list all directives, policies, and procedures that have been revised during the past 12 months. (750 characters or less)

7. During the past 12 months, has your agency initiated any new services that fall within the scope of standards that were previously considered to be not applicable?

Yes No If yes, please describe and attach a copy of the policy that would bring your agency into compliance. (750 characters or less)

8. During the past 12 months, has your agency stopped using any resources (e.g., specialized vehicles) or providing certain services (e.g., polygraph tests) that would make a previously applicable standard not applicable? (750 characters or less)

9. Is there any other information pertaining to your agency's compliance with program standards that you would like to bring to the attention of the Accreditation Commission? (750 characters or less)

III. Program Impact

1. Is your municipality self-insured?

Yes No If no, please indicate the name of your insurance carrier and whether there has been any reduction in your agency's liability insurance premiums during the last year as a result of being accredited. Where applicable, indicate how much money you saved. (750 characters or less)

2. Please describe any instances in which your status as an accredited agency was a positive factor in dealing with the community or with lawsuits that attorneys either filed or were thinking about filing against your agency. (750 characters or less)

Survey Prepared By:

After completing and submitting this survey, you must also print part **IV. Chief Executive Officer's Certification**, onto your department letterhead, have it signed, and scan and e-mail it to the Delaware Police Accreditation Commission Accreditation Commission.

DELAWARE POLICE ACCREDITATION COMMISSION

ANNUAL COMPLIANCE SURVEY FOR ACCREDITED AGENCIES

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The Delaware Police Accreditation Commission may require chief executive officers of accredited agencies to submit documentation that clearly demonstrates the agencies' ongoing compliance with selected standards. Should the review of these selected files indicate that the agency is out of compliance, program staff will offer to meet with appropriate staff members to discuss the agencies' maintenance activities.

IV. Chief Executive Officer's Certification:

I hereby certify that this agency can demonstrate ongoing compliance with all applicable accreditation standards during the last 12 months except where indicated above.

Chief Executive Officer's Signature: _____

Date: _____