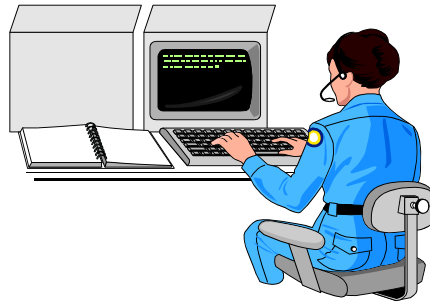


New York State Law Enforcement Accreditation Program



GUIDE TO MAINTAINING ACCREDITATION AND PREPARING FOR REACCREDITATION

**New York State Division of Criminal Justice Services
Office of Public Safety
Accreditation Program
4 Tower Place
Albany, NY 12203**

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INTRODUCTION

The New York State Law Enforcement Accreditation Program provides a formal mechanism by which agencies can demonstrate that they meet or exceed general expectations of quality. Accreditation should thus be a source of great pride both for participating agencies and the communities that they serve.

The accreditation process does not end, however, when the State certificate is awarded. Agencies work hard to achieve this honor, but the impact of their efforts will clearly be limited unless they also establish procedures to ensure their ongoing compliance with applicable standards. A maintenance schedule is absolutely critical for several reasons: It allows the agency to remain proactive as it continually monitors policies and procedures, it enables the agency to respond effectively to potential litigation, and it enhances the likelihood for success of the on-site reaccreditation visit by program assessors.

This Guide provides detailed information regarding the specific tasks that accredited agencies must perform in order to maintain their accredited status. It also identifies steps that agencies must take in order to become reaccredited. Assessors and program managers are encouraged to contact Accreditation Program staff at the Office of Public Safety if they have any questions.

MAINTAINING ACCREDITATION STATUS

Overview of Agency Responsibilities

The accreditation process does not end when the agency is awarded a Certificate of Accreditation. The chief executive officer must still be able to verify that the policies and procedures developed to implement program standards are followed throughout the five year period of accreditation. On going maintenance is essential in order for accreditation to have the desired impact on the agency. The value of accreditation is being able to document compliance at any time for either insurance purposes or, more importantly in cases of litigation.

Accredited agencies must fulfill three primary responsibilities to remain in good standing with the Council:

- Î Maintain all applicable standard folders to demonstrate that the standards are being successfully complied with on an ongoing basis;
- Ï Notify program staff at the Office of Public Safety of any problems or new circumstances that have arisen which prevent the agency from complying with applicable standards;
- Ð Meet annual reporting requirements established by the Accreditation Council.

Maintaining-Records

The agency should continue to designate an officer to maintain accreditation after accreditation status has been awarded. The officer's principal function would be to ensure that the individual folders prepared for each standard contain up-to-date proofs of compliance. In some instances, no additional documentation will be necessary. Standard 2.2, for example, requires agencies to prepare written duties and responsibilities for each job classification within the agency. As long as the agency does not change these duties

or establish any new classifications, the standard file can remain unchanged. Another example may be Standard 1.1 (Mission Statement), as long as the mission statement of the agency remains the same, the standard file could be unchanged. Maintaining records pertaining to some of the other standards will require on-going maintenance. Program requirements dictate that the agency take certain actions quarterly (e.g., Standard 5.2), annually (e.g., Standards 13.1), periodically (e.g., Standards 1.2, 2.1, 2.5, and 3.3.3), as needed (e.g., Standards 7.4, 11.1, and 12.1) or on an on-going basis (e.g., Standards 35.1, 35.2, 35.3). The agency will be held accountable for providing that these actions are actually being fulfilled in accordance with program standards.

The most efficient way of fulfilling the record keeping responsibilities is to update accreditation files on an on-going basis. If the agency does not do so, officials will one day face the task of reaccreditation by trying to obtain records for incidents and events that took place several months or several years earlier. Worse than this, an agency may face the unpleasant situation of facing major litigation and trying to obtain records for incidents that took place several months or several years earlier.

The types of documentation needed to maintain the file folders will vary according to the requirements set forth in each standard. The documentation may include such diverse items as job announcements (standard 11.1) and course curricula (standard 35.2). These documents can be filed in their usual locations, and only a sample of the forms or records should be included in the file folder. For example, it would be unreasonable to include every performance evaluation or every training record for every officer in the file folder, but all of the documents should be readily available if necessary.

Notification Requirements

The chief executive officer may decide to rewrite a procedure in a way that is substantially different from the version initially approved by program assessors. The CEO should notify OPS staff to inform them of such changes whenever it appears that the new procedure may not comply with the corresponding standard or if there are major changes in the organization of the agency (for example, if a detective unit was added or if the agency bought an aircraft).

The CEO must notify program staff if budget cuts or other developments make it impossible to continue complying with an applicable standard. The notice must be in writing, it must specify the nature and reason for noncompliance, and it must be submitted within thirty days of the date that the agency stopped complying. If officials believe that they will once again be able to comply at a later date, the agency should include a time table and plan of action with the notification.

The Accreditation Council considers each situation at its regularly scheduled meetings. Action will be taken as appropriate on a case by case basis.

Annual Reports

Accredited law enforcement agencies are required to file an annual compliance survey in a standard format approved by the Council regarding major developments that may affect their accreditation status (see sample Annual Survey in the appendix). The report may include, but not be limited to the following subjects: the fiscal impact of accreditation on the law enforcement agency, information pertaining to lawsuits that have been filed against the law enforcement agency, recent court orders or consent decrees that affect agency operations, and any problems relating to the agency's continued compliance with applicable program standards. OPS will provide agencies with the format necessary to file this report as the need arises.

Council Review and Action

Program staff keep the Accreditation Council fully informed about accredited agencies. The Council has the authority to suspend or revoke the accredited status of those agencies which disregard applicable standards or which commit serious violations of program rules and regulations. Once accreditation is revoked, the agency will not be allowed to display a Certificate of Accreditation, and personnel will not be permitted to wear lapel pins or uniform ribbons indicating that they work for an accredited agency. Any other public symbol of accreditation must also be discontinued.

It is important to note once again that the accreditation process is non-adversarial in nature. The Council will exercise its' right to revoke an agency's accreditation only as a last resort. Less drastic sanctions available to the Council include issuing written warnings and setting deadlines by which the agency must once again be in compliance. Agency representatives will be given the opportunity to appear before the Council prior to the suspension or revocation of their accredited status.

REACCREDITATION

Introduction

When an agency properly fulfills its responsibilities in maintaining its accredited status, the success of the on-site reaccreditation assessment is enhanced. Reaccreditation should not be problematic in most cases because accredited agencies are expected to keep their program files current throughout the period of accreditation and document their efforts through the use of annual compliance surveys provided by OPS.

Requirements

An agency can apply for reaccreditation up to 12 months prior to the date its accreditation is due to expire. If OPS determines that an agency is ready to be assessed, but the assessment cannot be scheduled because of extenuating circumstances beyond the agency's control (e.g., a delay in passing the State budget), the agency's accreditation can be extended until the Council reviews the completed assessment report.

Prior to the reaccreditation assessment, the agency is responsible for preparing the necessary documentation. First, the agency will need to produce a new Standard Compliance Report for each folder and identify the types of proof that it is providing to demonstrate ongoing compliance.

The next form of documentation required is a copy of the appropriate policy, procedure, form, etc. that was effective at the time of the initial assessment, and the current document in effect at the time of the reassessment to show compliance with the standard. Copies of any additional policies, procedures, forms, etc. that were in effect during the period of accreditation and which significantly changed the way in which the agency complied with the standard is also required documentation. Finally, the agency must provide any information pertaining to any compliance problems that were reported in the agency's Annual Compliance Surveys so that the assessors can verify that the corrective action plans described in the surveys were successfully implemented.

Purpose of Reaccreditation Assessments

Reaccreditation assessments are conducted to:

- L Verify that the agency has complied with all standards that were applicable at the time of the initial assessment;
- L Verify that the agency has complied in a timely manner with any standards that did not apply at the time of the assessment but which subsequently became applicable because of changes in agency practices;
- L Verify that the agency has complied in a timely manner with any applicable standards that the Council adopted following the initial assessment; and
- L Review all Annual Compliance Surveys, corrective action plans, and other relevant materials that were generated prior to the reassessment. Assessors shall pay particular attention to any problems that were identified during this time and to the efforts that the agency made to address them.

Pre-Assessment Procedures

An agency seeking reaccreditation must submit an Application and Reaccreditation Assessment Agreement to OPS. The Agreement certifies that the agency has fulfilled certain requirements prior to the assessment. The agency should contact OPS well in advance so that questions can be resolved before the assessment takes place. Once an agency requests an assessment, OPS shall direct the agency to submit 10 file folders for review. If the files appear to be in order, OPS will send the CEO a list of potential assessors and begin to make arrangements for the on-site assessment. If OPS finds the folders to be deficient, the agency shall be required to continue resubmitting the files until OPS is confident the files demonstrate compliance with the appropriate standard.

Assessment

OPS selects a team of three assessors to conduct the assessment. OPS makes all the logistical arrangements and the team goes on site to review agency files. The assessment team spends three days at the agency to complete the review of files. All assessments begin on a Tuesday and end on Thursday. On Tuesday morning the assessors meet with the CEO and program manager to review the nature and scope of the assessment. The team should be briefed on matters pertaining to the organization, operations and the way in which the Policies and Procedures Manual is organized.

The assessors should be provided with a private room and have access to appropriate office supplies and a telephone. All folders and documents should be in one location and well organized. The program manager must be available at all times to answer questions and arrange any interviews that the assessors may want to conduct. Key personnel, including the training officer, records clerk, property officer, evidence technician, personnel officer and the fiscal officer, must be available during the three days. Assessors will interview and examine records to verify compliance to the standards.

At the conclusion of the assessment, the team will meet with the CEO and program manager to discuss their overall findings. If the agency is found to be in compliance with all program standards, a detailed report of the team's findings and recommendations is prepared and forwarded to OPS.

The assessment team may find that the agency is not in compliance with all of the standards. If this is the case, the team may work with the CEO to attempt to correct any deficiencies while on site. If the agency is unable to correct the deficiencies while the assessment team is on site, the team advises the CEO of the corrective actions and then reports their findings to OPS.

Council Action

The Council may make one of four decisions after reviewing the assessment report of an agency applying for reaccreditation. They may:

- Ĥ Reaccredit. If the Council votes to reaccredit an agency, the period will last for five years.
- İ Reaccredit the agency with provisions for enhanced monitoring. If the Council chooses this course of action, provisions it may impose include: requiring the agency to develop a new plan for monitoring internal compliance with applicable program standards subject to Council review and approval; requiring the agency to submit periodic reports in addition to the Annual Compliance Surveys that all accredited agencies must prepare; requiring the agency to periodically submit documentation which proves that it is still complying with selected program standards, subject to review by an experienced assessment team leader chosen by OPS; requiring the agency to schedule additional on-site visits (the frequency and depth of which are determined by the Council) by one or more assessors during the period of reaccreditation.
- Đ Defer reaccreditation until certain conditions have been met. If the Council chooses this course of action, it will provide the agency with written notice specifying the action that needs to be taken and the method that the Council will use to verify that all appropriate action has been taken.
- Ñ Deny reaccreditation. If the Council decides to deny a law enforcement agency's request for reaccreditation, it must notify such agency in writing of the reasons for its decision and of the steps that must be taken to become reaccredited. Once an agency's application for reaccreditation is denied, the agency will not be assessed again until a specified period of time has elapsed. The Council determines the length of the period of time before another assessment, but the elapsed time may

not exceed three years. If the agency decides to reapply when it becomes eligible to do so, the assessment shall include a review of agency plans to ensure that the compliance problems encountered in the past will not be repeated.

**POLICIES OF THE NEW YORK STATE
LAW ENFORCEMENT ACCREDITATION COUNCIL**

AGENCY RESPONSIBILITIES FOLLOWING ACCREDITATION

(This policy was approved by the State Law Enforcement Accreditation Council on December 10, 1992.)

1. Accredited agencies are expected to maintain compliance throughout the period of accreditation with all applicable program standards that were in effect at the time that the agencies were accredited. (Section 6035.8 [a] of Title 9 of the Official Compilation of Codes, Rules, and Regulations of the State of New York)
2. The Deputy Commissioner in charge of the Office of Public Safety (OPS) may determine that some standards do not apply to particular agencies at the time of the assessment. Such agencies are nevertheless expected to comply with these standards during the period of accreditation if new agency practices subsequently make the standards in question applicable.
3. Accredited agencies are expected to comply with any new applicable standards that the Council adopts following the initial assessment. Agencies shall comply with all such standards in a timely manner following formal notification by the Office of Public Safety that the standards have been adopted.
4. The Council recognizes that it is not always feasible to retain copies of all documents that are generated to meet program standards over a five year period. Agencies may thus purge files and discard documents in accordance with established internal procedures. Agencies are nevertheless expected to retain copies of all documentation necessary to demonstrate a clear pattern of compliance throughout the five year period of accreditation.

5. File folders for each standard must contain sample documentation which shows that the agency is complying with the standard in question. The main body of supporting documentation, however, (training records, personnel evaluations, etc.) may be filed in whatever location the chief executive officer determines to be most convenient or appropriate for the agency. Documents that are added to the file folders following the initial assessment should be inserted chronologically and in a manner that clearly distinguishes them from materials that assessors have already reviewed. The Council's policy on "Reaccreditation" lists all of the documents that the file folders should contain at the time of a reassessment.
6. Officials of accredited agencies who have questions about standard compliance, the types of records that they should maintain, or program requirements in general are expected to contact the Office of Public Safety. Program staff will attempt to resolve these questions as appropriate over the phone or by reviewing materials sent through the mail. Upon request of the agency's chief executive officer, program staff will conduct an on-site review of program records or other relevant documents to help resolve any problems that may exist.
7. The chief executive officers of accredited agencies shall be required to submit an Annual Compliance Survey in a format approved by the Accreditation Council. (Section 6035.8 [c] of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York) OPS will send a blank copy of the survey to each accredited agency one month prior to the due date.
8. After the submission of the first annual report and as a part of each succeeding annual report, the Accreditation Council may require accredited agencies to submit documentation which clearly demonstrates the agencies' ongoing compliance with selected standards. These standards shall be selected by the Office of Public Safety with the concurrence of the Accreditation Council and may change from year to year. Program staff at OPS will review the documentation and shall request

additional proof where necessary to verify full compliance. Should review of the selected standards reveal that the agency may not be in ongoing compliance, the agency may request and/or OPS shall offer to review the agency's accreditation files. In all cases, OPS shall prepare a written report of its finding and recommendations. The report shall be submitted to the Accreditation Council, and a copy will be forwarded to agency officials for their records.

9. Law enforcement agencies that are unable to continue complying with any of the standards in effect at the time that they were accredited shall notify program staff within 30 days regarding the nature of and reason for their non-compliance. The Accreditation Council shall determine what action should be taken on a case-by-case basis. (Section 6035.8 [b] of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York) Program staff shall work with the agency to develop a corrective action plan if requested to do so by the chief executive officer.
10. The Council shall have the authority to suspend or revoke a law enforcement agency's accreditation for disregarding applicable standards or committing serious violations of program rules and regulations. Law enforcement agency representatives shall be given an opportunity to appear before the Council prior to any such suspension or revocation. (Section 6035.8 [d] of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York)

II. REACCREDITATION

(This policy was approved by the State Law Enforcement Accreditation Council on September 17, 1992.)

1. The reaccreditation process is a continuation of the initial accreditation that is awarded to a state or local law enforcement agency. Reaccreditation should not be problematic in most cases because accredited agencies are expected to keep their program files current throughout the period of accreditation. In addition, accredited agencies prepare written surveys on an annual basis to verify that internal compliance mechanisms are in place and that any significant problems are being addressed. Agencies are reaccredited following an on-site compliance audit and a formal review by the Accreditation Council.
2. If there is no lapse in a law enforcement agency's accreditation status, reaccreditation shall be contingent upon the law enforcement agency's compliance with all program standards and requirements in effect at the time of the new application and upon demonstration that the law enforcement agency was in continual compliance with all applicable program standards that were in effect throughout the time of the agency's previous accreditation. (Section 6035.9 (b) of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York)
3. Notwithstanding any other provision to the contrary, if there is a lapse in a law enforcement agency's accreditation status which does not exceed a period of over twelve months, such law enforcement agency must comply with those accreditation program standards and requirements in effect at the time of the new application and additionally demonstrate that the law enforcement agency was in continual compliance with all applicable program standards that were in effect throughout the time of the agency's previous accreditation. If the lapse in a law enforcement

agency's accreditation status exceeds a twelve month period, such law enforcement agency seeking accreditation must comply with those accreditation program standards and requirements in effect at the time of the new application. (Section 6035.9 (e) of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York)

4. Law enforcement agencies wishing to be reaccredited must submit a new application in accordance with procedures established by the State Law Enforcement Accreditation Council. The Council will accept applications for reaccreditation no more than 12 months prior to the date on which a law enforcement agency's accreditation is scheduled to expire. (Section 6035.9 (a) of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York)
5. Agencies seeking to be reaccredited are encouraged to notify OPS for the purpose of scheduling an assessment several months prior to the date on which their accredited status will lapse. If OPS determines that an agency is ready to be assessed but that the assessment cannot be scheduled because of extenuating circumstances beyond the agency's control (e.g., a delay in passing the State budget), the agency's accreditation can be extended until such time as the Council reviews the completed assessment report. The Deputy Commissioner in charge of OPS shall consult with the chairman of the Accreditation Council in such cases and will advise the agency's chief executive officer in writing of any extension that is granted in the agency's accredited status.
6. Accredited agencies are expected to have the following types of documentation in the file folders for each standard at the time of the reaccreditation assessment:
 - a. A new Standard Compliance Report in which the agency identifies the types of proof that it can provide to demonstrate ongoing compliance with the standard in question. The report forms also contain room for assessor

comments and are available upon request from the Office of Public Safety.

- b. Proof that the agency has reviewed each standard and considered the most appropriate method of complying no more than 12 months prior to the assessment.
- c. A copy of the appropriate policy, procedure, form, etc. that was being used at the time of the initial assessment to show compliance with the standard.
- d. A copy of the appropriate policy, procedure, form, etc. that is being used at the time of the reassessment to show compliance with the standard.
- e. Copies of any additional policies, procedures, forms, etc. that were used during the period of accreditation and which significantly changed the way in which the agency complied with the standard.
- f. Sample documentation prepared at various points during the period of accreditation. Appropriate documentation is especially important for those standards which identify specific activities that must be performed periodically. Examples of these standards include 1.2 (Goals and Objectives), 5.2 (Accounting), 7.3 (Inventories of Non-Agency Property), and 21.1 (Review of Firearm Use). Assessors may request documentation in addition to that which is included in the file folder where necessary to establish a clear pattern of on-going compliance.
- g. Information pertaining to any compliance problems that were reported in the agency's Annual Compliance Surveys. The information should be sufficient for assessors to verify that the corrective action plans described in the surveys were successfully implemented.

7. Assessments conducted for the purpose of reaccrediting agencies shall have four principal components:
 - a. Verification that the agency has complied with all standards that were applicable at the time of the initial assessment;
 - b. Verification that the agency has complied in a timely manner with any standards that did not apply at the time of the assessment but which subsequently became applicable because of changes in agency practices;
 - c. Verification that the agency has complied in a timely manner with any applicable standards that the Council adopted following the initial assessment; and
 - d. A review of all Annual Compliance Surveys, corrective action plans, and other relevant materials that were generated prior to the reassessment. Assessors shall pay particular attention to any problems that were identified during this time and to the efforts that the agency made to address them.
8. As is the case with the agency's first assessment, DCJS will pay all costs associated with the reassessment.
9. The assessment team leader shall prepare a detailed report of the team's findings and make appropriate recommendations for the Accreditation Council's consideration.
10. The Council may vote on a law enforcement agency's application for reaccreditation no more than six months prior to the date on which the initial application is due to expire. If the Council votes to reaccredit a law enforcement agency, the period of reaccreditation will begin on the date that the initial accreditation expires. (Section

6035.9 (c) of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York).

11. Representatives of the law enforcement agencies being considered for reaccreditation shall have the right to address the Council, to present evidence in their behalf and to respond to concerns raised by the Council. (Section 6035.7 (a) of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York)

12. The Council shall make one of four decisions following its review of the agency's application for reaccreditation. The Council may:
 - a. Reaccredit the agency;

 - b. Reaccredit the agency with provisions for enhanced monitoring;

 - c. Defer reaccreditation until certain conditions have been met; or

 - d. Deny reaccreditation status.

13. The Council's decision shall be based on the totality of relevant circumstances. In making its determination, the Council shall consider several factors including but not limited to the following:
 - a. The number of standards with which the agency was not in continuous compliance during the period of accreditation;

 - b. The relative importance of the standards with which the agency did not comply;

 - c. The length of time that the agency was out of compliance;

- d. The reason(s) why the agency was not in continuous compliance;
 - e. Efforts made by the agency to re-establish compliance with all applicable standards;
 - f. Whether or not agency officials advised the Council of the problems that they were experiencing; and
 - g. Whether or not the agency worked with OPS where appropriate to develop a strategy for resolving the problems that prevented full and on-going compliance.
14. Agencies shall be reaccredited for a period of five years. (Section 6035.9 (d) of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York)
15. If the Council votes to reaccredit the agency with provisions for enhanced monitoring, the Council may impose one or more of the stipulations specified below.
- a. The agency can be required to develop a new plan for monitoring internal compliance with applicable program standards. The Council may further require that this plan be submitted to the Council for review and approval.
 - b. The agency can be required to submit periodic reports in addition to the Annual Compliance Surveys that all accredited agencies must prepare.
 - c. The agency can be required to periodically submit documentation which proves that it is still complying with selected program standards. The documentation shall be submitted to OPS which will then arrange for review by an experienced assessment team leader.

- d. The agency can be required to schedule additional on-site visits by one or more assessors during the period of reaccreditation. The visits will be as frequent and as narrow or as broad in scope as the Council deems appropriate.
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- 16. If the Council votes to defer reaccreditation until certain conditions have been met, the Council will provide the agency with written notice specifying the action that needs to be taken and the method that the Council will use to verify that all appropriate action has been taken.
 - 17. If the Council votes to deny reaccreditation because of significant or repeated failures to comply with applicable standards, the agency will not be assessed again until a specified period of time has elapsed. The length of this period shall be set by the Council at the time of the denial but will in no case exceed three years. If the agency chooses to reapply when it becomes eligible to do so, the assessment shall include a review of agency plans to ensure that the compliance problems encountered in the past will not be repeated.
 - 18. If a decision is made to deny a law enforcement agency's request for reaccreditation, the Council shall notify such agency in writing of the reasons for its decision and of the steps that must be taken to become reaccredited. (Section 6035.7 (c) of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York)
 - 19. Law enforcement agencies whose reaccreditation is deferred may have their application reconsidered at the next meeting of the Council by filing a written appeal with program staff within 30 calendar days of the initial decision. (Section 6035.7 (d) of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York).

III. REASSESSMENT LOGISTICS

(This section is based on a policy that the State Law Enforcement Accreditation Council adopted regarding "Assessment Procedures" on December 6, 1990.)

Scheduling A Reassessment

1. An agency that has questions about the standards or reaccreditation process should contact the Office of Public Safety well in advance of a request for a reaccreditation assessment so that the questions can be resolved in a timely manner. There should be no surprises, confusion or misunderstanding about what is expected when the assessors arrive on-site to conduct the assessment.
2. Prior to scheduling a reaccreditation assessment, OPS will identify 10 standards and notify the agency that it must submit copies of the appropriate program files to OPS for review. OPS shall review the files in accordance with the criteria set forth in the assessors' training and as specified in the Compliance Verification Manual. OPS does not have the authority to issue findings of compliance or noncompliance, but will advise the agency in writing if there appear to be any deficiencies in the file.
3. If all 10 files appear to be in order, OPS will send the chief executive officer a list of potential assessors and begin to make arrangements for an on-site assessment. If deficiencies are found in up to 3 program files, the agency will be asked to resubmit the deficient files with the necessary amendments. If OPS identifies problems in 4 or more files (25% of the sample), the agency will be asked to resubmit the deficient files with the necessary amendments as well as files for 10 additional standards.
4. The agency shall be required to continue resubmitting the files until such time as

OPS is confident that the files demonstrate compliance with the standards in question. OPS will not schedule an assessment until after the amended files have been reviewed and determined to be sufficient.

5. Once it is determined that all sample files are in order, OPS shall prepare a list of potential assessors and send a copy of this list to the chief executive officer of the agency that is requesting the reaccreditation assessment. The chief executive officer may request the disqualification of a potential assessor for cause (e.g., a conflict of interest). The chief executive officer must advise OPS in writing if any of the potential assessors would not be acceptable as members of the assessment team.
6. Every agency that requests a reaccreditation assessment shall be required to enter into a formal agreement (see appendix) with the Division of Criminal Justice Services (DCJS) before the assessment is conducted.
7. The chief executive officer must be present and available to address potential problems throughout the period of the on-site assessment.
8. The on-site reaccreditation assessment must be completed at least 45 days prior to the meeting at which the Council will consider an agency's request for accreditation. This policy is necessary to ensure that team leaders have the time needed to draft a thorough report and to submit it to OPS for distribution to Council members prior to the meeting.

Assessment Team Selection

1. All persons selected as assessors shall have successfully met all training requirements established by OPS for new assessors.
2. While OPS shall make a concerted effort to ensure that the assessment team is balanced according to the members' expertise, professional affiliations (police department, sheriff's department, etc.) and the sizes of the agencies that they represent, OPS reserves the right to appoint the assessment team.
3. Whenever possible, at least one member of the assessment team shall be from an agency of the same approximate size as the agency being assessed.
4. Whenever possible, the person designated to be the team leader shall have had prior experience as a member of an assessment team.
5. No more than one incumbent chief or sheriff shall be assigned to an assessment team.
6. Whenever possible, assessors shall be chosen from a community which is located at least 90 miles away from the agency being assessed. Under no circumstances shall any member of an assessment team work within the same training zone as the agency undergoing assessment.
7. Under no circumstances shall an agency be assessed by anyone who is or has been affiliated with a department that has already been assessed by a member of the agency that is applying for accreditation or reaccreditation.

Assessor Preparation and Responsibilities

1. OPS program staff will mail a package of information to the assessors prior to each reaccreditation assessment. This will include logistical information, copies of the agency's "Annual Compliance Surveys" and other correspondence that may impact reaccreditation.
2. The team leader will prepare a report of the accreditation team's findings and recommendations in accordance with a standard format approved by the Council. OPS will provide the team leader with an outline and model report to serve as an appropriate guide.
3. A team leader will submit the report to OPS in typewritten form on plain bond paper within 14 days of completing the on-site assessment.
4. The assessment team shall recommend an agency for reaccreditation only if it is satisfied that all applicable requirements have been met.

Resolving Problems and Findings of Non-Compliance

1. In some instances, the assessment team may determine that an agency did not demonstrate full compliance with all applicable standards during the on-site assessment. If the chief executive officer believes that his agency did, in fact, demonstrate full compliance with the standard(s) in question, the issue shall be submitted to the Council for resolution. The chief executive officer, or his/her designee, shall have the right to address the Council and to respond to the Council's concerns.
2. When an agency requires a second on-site reaccreditation assessment, OPS shall select the assessor(s) who will conduct it and shall instruct him/her to schedule an appropriate date and time with the agency's chief executive officer.

APPENDIX



**NEW YORK STATE LAW ENFORCEMENT
ACCREDITATION PROGRAM**

REACCREDITATION APPLICATION

LAW ENFORCEMENT AGENCY:

Name: _____

Address: _____

County: _____

Chief Executive Officer: _____

Telephone: () _____

POLITICAL SUBDIVISION:

Chief Elected Officer: _____
(or Governing Body if there is no Chief Elected Officer)

Title: _____

Address: _____

Telephone: () _____

Desire to Participate

The _____ (name of agency) hereby expresses its desire to seek reaccreditation in the New York State Law Enforcement Agency Accreditation Program. In doing so, the agency agrees to abide by the requirements set forth by the New York State Law Enforcement Agency Accreditation Council.

Signature
Chief Executive Officer

Date

Executive Approval

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

Signature
Chief Elected Officer or head of governing
body if there is no elected officer

Date

Return to:

NYS Division of Criminal Justice Services
Office of Public Safety
Law Enforcement Accreditation Program
4 Tower Place
Albany, N.Y. 12203-3702

REACCREDITATION ASSESSMENT AGREEMENT

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

1. The policies and procedures needed to meet applicable standards have been fully implemented and in effect for the past five years.
2. The most recent major revisions in our agency's Policy and Procedure Manual have been distributed to appropriate personnel and have been in effect for a minimum of three months.
3. Assessors will have access to any documentation directly related to the accreditation process. This will include the opportunity to interview personnel employed by this agency and we will cooperate in making arrangements for interviews of people working for other employers (i.e. Civil Service personnel, municipal clerks, prosecutors, etc.)
4. There is a separate folder available for review for each of the appropriate program standards. Each folder contains at a minimum:
 - a. A new Standard Compliance Report in which the agency identifies the types of proof that it can provide to demonstrate on-going compliance with the standard in question. The report forms are available upon request from the Office of Public Safety.
 - b. Proof that the agency has reviewed each standard and considered the most appropriate method of maintaining compliance within 12 months prior to the reassessment.
 - c. A copy of the appropriate policy, procedure, form, etc. that was being used at the time of the initial assessment to show compliance with the standard.
 - d. A copy of the appropriate policy, procedure, form, etc. that is being used at the time of the reassessment to show compliance with the standard.
 - e. Copies of any additional policies, procedures, forms, etc. that were used during the period of accreditation and which significantly changed the way in which the agency complied with the standard.
 - f. Sample documentation prepared at various points during the period of accreditation. Appropriate documentation is especially important for those standards which identify specific activities that must be performed periodically. Examples of these standards include 1.2 (Goals and Objectives), 5.2 (Accounting), 7.3 (Inventories of Non-Agency Property), and 13.1 (Performance Evaluations). Assessors may request documentation in addition to that which is included in the file folder where necessary to establish a clear pattern of on-going compliance.

- g. Information pertaining to any compliance problems that were reported in the agency's Annual Compliance Surveys. The information should be sufficient for assessors to verify that the corrective action plans described in the surveys were successfully implemented.

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

Program Manager: _____

Training Officer: _____

Records Clerk: _____

Property Officer: _____

Evidence Technician: _____

Personnel Officer: _____

Fiscal Officer: _____

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

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

Signature of Chief Executive Officer: _____

Date: _____



NEW YORK STATE LAW ENFORCEMENT ACCREDITATION PROGRAM

ANNUAL COMPLIANCE SURVEY FOR ACCREDITED AGENCIES *

Ongoing file maintenance is a critical part of the accreditation process. The New York State Law Enforcement Accreditation Council has passed numerous policies that address the issues of maintenance and reaccreditation in general and they have been compiled in the Guide for Maintaining Accreditation and Preparing for Reaccreditation that is available through the Office of Public Safety (OPS).

Any agency that is unable to maintain full compliance with any of the program standards must notify OPS program staff within 30 days. Agency officials who have questions about standard compliance or program requirements are also expected to contact OPS. If the issues cannot be resolve 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 Accreditation Council may require chief executive officers of accredited agencies to submit documentation which clearly demonstrates the agencies' ongoing compliance with selected standards. Should the review of these selected files indicate that the agency is out of compliance, OPS will offer to meet with appropriate staff members to discuss the agencies' maintenance activities.

Note: This report is subject to the provisions of the Freedom of Information Law and may be subject to review by third parties.

Agency Name:

Date of Accreditation:

Date of Reaccreditation:

Annual Report #:

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.

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.

3. Is your agency program 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 program manager.

4. Please describe the activities of the agency program 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.

5. The Accreditation Council 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.

II. Compliance with Program Standards

1. The Accreditation Council has adopted a policy that requires accredited agencies to report incidents of non-compliance to OPS within 30 days of the date that the agency is no longer in compliance. Please describe the procedures that you have established to ensure that this requirement will be met in a timely manner in the event that it should ever become necessary.

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.

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.

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.

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.

6. During the past 12 months, has your agency rewritten policies or procedures in way that have significantly changed the manner in which you are complying with a program standard?

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.

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?

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 Council?

III. Program Impact

1. Is your municipality self-insured?

Yes _____ No _____ If no, please indicate 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 and identify your insurance carrier.

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.

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: _____

Survey Prepared By: _____

**RECOMMENDED SCHEDULE FOR MAINTAINING
COMPLIANCE WITH ACCREDITATION STANDARDS**

<u>STANDARD NUMBER</u>	<u>TOPIC AREA</u>	<u>FREQUENCY</u>
ADMINISTRATION		
1.1	Mission Statement	As needed
1.2	Goals and Objectives	Annually
2.1	Organizational Chart	As Needed
2.2	Job Classifications	As Needed
2.3	Written Directives	Continual
2.4	Staffing Table	As Needed
2.5	Map of Patrol Areas	Annual
2.7	Officer Responsibility	As Needed
2.9	Accountability of Supervisors	As Needed
2.10	Lawful Orders	As Needed
3.1	Infectious Diseases	As Needed
5.1	Fiscal Responsibility	Continual
5.2	Fiscal Accounting	Quarterly
5.3	Safeguarding Cash	Continual
6.1	Inventory Control	Continual
6.2	Safeguarding Agency Weapons	As Needed
7.1	Storage of Evidence	Continual
7.3	Inventory Control	Annually
8.1	Records System Components	Continual
8.2	State Fingerprint System	As Needed
8.5	Maintenance	Continual
8.6	Statistical Summaries	Daily
8.7	Records Management System	Continual
8.8	Arrest History	Continual
8.9	Juvenile Records	Continual
8.11	Sealing Orders	
8.12	Record Systems for Warrants	Continual
8.13	Legal Process	Continual
11.1 - 11.3	Job Announcement/ Testing	As Needed
12.1 - 12.9	Hiring Requirements	As Needed
13.1	Performance Evaluation System	Continual
14.1- 14.4	Conduct\Discipline	Continual
14.7	Sexual Harassment	Continual
15.1	Promotional Process	As Needed
16.1	Grievances	Continual
17.1	Award Procedures	As Needed
20.1	Necessary Force	Continual
20.4 - 20.7	Use of Force	Continual
21.1	Review of Firearm Use	As Needed
21.2	Review of Force Causing Injuries	As Needed
25.1	Internal Affairs - Function	Continual
25.2	Internal Affairs - Complaints	Continual
25.6	Internal Affairs - Disposition	Continual
25.8	Internal Affairs - Liaison with Prosecutor	Continual
28.1 - 28.3	Public Information	Continual
29.1 - 29.5	Community Relations	Continual

TRAINING

32.1	Basic Course	As Needed
32.3	Firearms Training	As Needed
32.4	Use of Less-than-Lethal Substances	As Needed
32.5	Field Training	As Needed
33.1	In-Service Training	Annual
33.2	Instructor Qualifications	As Needed
33.3	Specialized Training	Periodic
34.1	First-Line Supervisory Training	As Needed
34.2	Supervisory Training	Annual
35.1	Personnel Training Records	Continual
35.2	Training Courses	Continual
35.3	Agency Sponsored Training	As Needed

OPERATIONS

39.1	Patrol Function	Continual
40.1	Responsibilities of Patrol Officers	Continual
40.2	Supervisor Responsibilities	Continual
40.3	Command Protocol	Continual
41.1	Vests	As Needed
41.2	Use of Emergency Equipment	Continual
41.3	Personal Equipment	Continual
42.1	Marked Patrol Vehicles	Continual
42.2	Equipment	Continual
42.3	Seat Belts	As Needed
42.4	Special Purpose Vehicles	As Needed
43.1	Responding to Calls	Continual
43.2	Recording Officer Status	Continual
43.3	Emergency Response	Continual
43.4	Pursuit	As Needed
43.5	Roadblocks	As Needed
43.6	Specialized Units	As Needed
43.7	Notifying Next of Kin	As Needed
44.1	Domestic Incidences	As Needed
47.1 - 47.2	Enforcement of Traffic Violators	Continual
47.3	High Visibility Clothing	As Needed
47.4	Speed Measuring Devices	Continual
47.5	DWI Cases	Continual
47.6	Hazardous Road Conditions	Continual
47.7	Accident Reporting/Investigations	Continual
47.8	Towing and Impounding	Continual
50.1 - 50.8	Investigative Function	Continual
51.1 - 51.6	Scenes of Incidents	Continual
55.1 - 55.5	Communications	Continual
58.1	Mutual Aid	As Needed
58.2	Disaster Plans	As Needed
58.4	Emergency Mobilization	As Needed
64.1	Prisoner Transport	Continual