



# Directives and Proofs of Compliance

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# Agenda

- Building the Directive System
- Directives
- Types of Written Directives
- Proofs of Compliance
- Values of Written Directives and Proofs
- Amount of Proof Needed (UPDATE)
- Guiding Principles
- Examples of Standards Issues

# Directive Systems

## Related Standards:

- ☐ Law Enforcement Standard 12.2.1
- ☐ Campus Security Standard 3.2.1
- ☐ Communications Standard 2.1.5
- ☐ Training Academy 3.1.6

- Clear understanding of expectations and constraints
- Issuance and acknowledgment
- Rapid access (electronic)
- Use of hyperlinks (standards, statutes, etc.)
- Annual review for possible changes !!
- Majority of Standards require Written Directives

# Directives

(An official or authoritative instruction)

- ✓ Written document
- ✓ Used to guide or affect the performance or conduct
- ✓ Includes policies or procedures
- ✓ Rules and regulations
- ✓ State Statutes/Local Ordinances
- ✓ General orders - special orders
- ✓ Memorandums, or
- ✓ Instructional material
- ✓ Binding on the agency and its personnel

# Types of Written Directives

More specific category of Written Directive:

- Policy – a written broad statement of agency principles
- Plan - documented identification of methods to achieve desirable goals or conditions
- Procedure - a written directive that is a guideline for carrying out agency activities

# Developing Written Directives

☞ Define the outcomes

☞ What is required of the Standard?

**4.1.5** A written directive specifies procedures for ensuring appropriate medical aid after use of force incidents and injuries during apprehension.

☞ Use SMEs where possible

- Agency personal, PACs, POST

☞ Have processes for review & approval

- Legal Dept., Chief, etc.

# Written Directive 4.1.5 (example)

**Medical assistance shall be obtained as soon as practical for persons who have sustained injury, express any complaint of injury, been rendered unconscious, or that the officer has reason to believe has been injured as the result of any use of force or has sustained an injury during apprehension.**



# Procedures (4.1.5 example)

The following procedures will be followed when force has been used causing an injury or an injury has occurred during apprehension and the subject requires or requests medical aid:

1. Ensure subject is controlled;
2. Activate EMS;
3. Render immediate first aid consistent with training. (e.g. apply direct pressure, apply bandage, flush eyes, begin CPR, etc.);
4. Notify a supervisor; and
5. Include all medical aid or medical aid requests in report or reasons no medical aid was rendered.

# Proof 4.1.5

On 7/23/18 I responded to a report of an assault at 187 Monroe Ave NW, the Grand Amway Hotel. Upon arrival I observed an Accreditation Manager assaulting a CALEA assessor and screaming “ I am in compliance. “ “ I am in compliance. “

I immediately stopped the assault and placed the Accreditation Manager in custody. As I did so, he fell to the ground and then complained of pain in his right leg. I made sure she was under control by handcuffing her and I requested an ambulance to my location. I then stabilized and elevated the leg consistent with my training. I then notified Sgt. MacMillan of the situation. Ambulance 10 responded and transported her to the Gotham Psychiatric Hospital for treatment.

# Example of Standards Issue

*17.4.2 A written directive lists all cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash and governs the maintenance of those accounts. The written directive includes, at a minimum: a thru f. (M)*

**ISSUE:** The standard requires all cash funds or accounts be listed in the written directive. During the onsite it was discovered that the agency collects cash for fingerprinting, but did not list the fund in the written directive with its other cash funds.

**AGENCY ACTION:** The agency amended the written directive to include the fingerprint fund. Although the fund was missing from the written directive the agency was maintaining the fingerprint fund in accordance with the standard, a thru f. The agency is now in compliance with the standard.

# Proof of Compliance Considerations

- Directives, documentation, interviews, or observations are relevant and appropriate to the standard being addressed
- Information does not conflict with another standard statement or agency directive
- Proofs presented show continued compliance throughout the assessment period OR for the time period the standard is applicable to the agency.

# Proofs of Compliance

In addition to any required directives, the following three types of proofs should be given consideration when determining compliance:

- Written documentation
  - Most Common
- Interviews with appropriate persons, both internal and external to the agency, and
- Proofs of an observable nature.

# Standards Issue

## 84.1.6 (M M M M) (LE1) Inspections and Reports

In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, the following documented inspections,

inventory, and audits shall be completed:

*a. an inspection ....is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee*

*c. an annual audit ...by a supervisor not routinely or directly connected...*

*d. unannounced inspections...., as directed by the agency's chief executive officer*

# STANDARDS ISSUE (cont'd)

ISSUE: .....it was determined the same person conducted all audits and inspections. The agency submitted the same proof for the annual audit and the unannounced inspection. This was conducted by the person responsible for the evidence function.

ACTION: Prior to leaving the agency, the CEO tasked different personnel to conduct the audits and inspections. It was also make clear that the annual audit cannot be used for the unannounced inspection

# Proofs of Compliance

## Typical – Written Directives

- General Orders
- Special Orders
- S.O.Ps
- Memoranda
- Laws and Ordinances
- Rules and Regulations



# Proof of Compliance

(Something which shows that something else is true or correct)

- Records/Reports or other tangible evidence
- Used to show that the agency is following a standard and its written directives governing that standard
- Usually generated with the implementation of a CALEA standard (SOP, Rules, Regs. Etc.)
- “Proof” of compliance may be an interview or observation. (not as common but may help to confirm)

# Example of Standards Issue

2.5.3 - The agency **conducts** a documented **quarterly review** of the performance measurements required of standard 2.5.2. The review will address and document policy, training, and remedial actions, if necessary. (M)

ISSUE: The agency had created performance measurements as required in standard 2.5.2 but it **did not** have a process in place to **conduct reviews** of the stated performance measurements.

AGENCY ACTION: The agency began to address this issue during the onsite and scheduled meetings with the agency CAD managers as well as their CAD vendor to develop reports that would measure processing times for all incoming emergency lines. The agency is confident that it will have a performance measurement review process in place and functional for the fourth quarter review for 2018.

# Proofs of Compliance



## Types of Proofs- Think outside the box

- Job Descriptions
- Labor Contracts
- Correspondence
- Photographs/Video
- Digital Recordings
- Rosters

# Proofs of Compliance



## Types of Proofs- Think outside the box

- Forms
- Reports
- News Articles
- Budget Documents
- Logs and Records
- Interviews
- Observations

# Standards Issue

## 45.2.2 45.2.4 5<sup>th</sup>

6<sup>th</sup> Edition  
change



(0 0 0 0) Citizens Survey

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A documented survey of citizen attitudes and opinions is conducted at least once every two years with respect to:

- a. overall agency performance;*
- b. overall competency of agency employees;*
- c. citizens' perception of officers' attitudes and behavior;*
- d. community concern over safety and security within the agency's service area;*
- e. citizens' recommendations and suggestions for improvements; and*
- f. results are compiled, with a written summary provided to the agency's chief executive officer.*

# Example of Standards Issue

ISSUE: The agency's internal policy requires a survey be completed on an annual basis which exceeds the Commission's performance level. The agency did complete a survey in 2016 but failed to do so in 2017, therefore placing it in a non-compliance state with its internal policy and thus this standard.

## AGENCY ACTION NEEDED:

There is no remedy to missing an annual survey. The agency may consider strengthening its critical timeline items or amending its internal policy to mirror the Commission's triennial requirement. If the desire for a higher frequency of audit remains, the agency should consider amending the policies language to read, "At a minimum, a survey will be conducted on a **biennial** basis...", which meets the minimum **two-year** requirement but also allows for annual.

# Value of Written Directives & Proofs of Compliance



## Written Directives

- Are documentation of a process and develops requirements for employee participation

## Proofs of Compliance

- Supports the agency for documentation
- Important when faced with litigation
- Confirm and develop an informal staff inspection process

# Value of Written Directives and Proofs of Compliance



## Proofs of Compliance (cont'd)

- ❖ Test your assumptions
- ❖ Review your documents that guide your actions
- ❖ Create an opportunity to clarify duties and responsibilities for your agency personnel
- ❖ Improve service delivery
- ❖ Create “buy in” for Accreditation

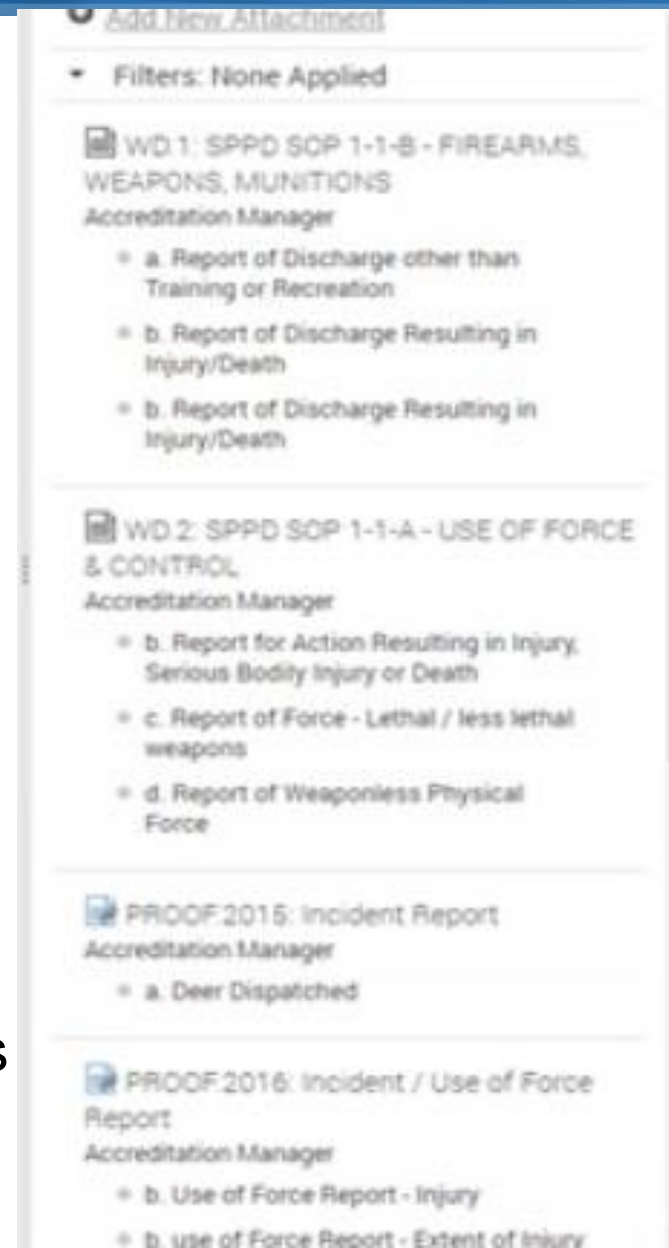


# Building the Files

## ➤ Power DMS Best Practices

<http://www.calea.org/content/calea-best-practices-powerdms>

Or: Google calea best practices powerdms



**Add New Attachment**

Filters: None Applied

**WD 1: SPPD SOP 1-1-B - FIREARMS, WEAPONS, MUNITIONS**  
Accreditation Manager

- a. Report of Discharge other than Training or Recreation
- b. Report of Discharge Resulting in Injury/Death
- b. Report of Discharge Resulting in Injury/Death

**WD 2: SPPD SOP 1-1-A - USE OF FORCE & CONTROL**  
Accreditation Manager

- b. Report for Action Resulting in Injury, Serious Bodily Injury or Death
- c. Report of Force - Lethal / less lethal weapons
- d. Report of Weaponless Physical Force

**PROOF 2015: Incident Report**  
Accreditation Manager

- a. Deer Dispatched

**PROOF 2016: Incident / Use of Force Report**  
Accreditation Manager

- b. Use of Force Report - Injury
- b. use of Force Report - Extent of Injury

- 1. WD = Written Directive
  - a. Definition- Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.
- 2. Proof = Proof of Compliance
- 3. Note = any other entry
  - a. INT = Interview
  - b. OBSV = Observation
  - c. N/A = Not Applicable Size/Function
  - d. No Occur = Did not Occur

## Standard 1.1.2 (M M M M) (LE1) Code of Ethics (emphasis added)

A written directive requires all personnel to abide by a code or canon of ethics adopted by the agency and mandates that ethics training be conducted for all personnel, at a minimum, biennially.

### *Commentary*

Sworn and non-sworn employees should receive instruction that concerns their position dilemmas, temptations, responsibilities, and duties.....

## Courtesy of Providence RI PD

### **POLICY**

The Law Enforcement Code of Ethics and the Law Enforcement Code of Conduct, as adopted by the International Association of Chiefs of Police, are embraced as fulfilling and establishing a written code of personal conduct for all sworn members of the Department.

Non-sworn members of the Department shall ascribe to the Code of Ethics for Civilian Public Safety Employees, as codified in this directive.

# Written Directive

## PROCEDURE

### I. **LAW ENFORCEMENT CODE OF ETHICS**

- A. Sworn members of this Department shall ascribe to the Law Enforcement Code of Ethics established by the International Association of Chiefs of Police:

*“As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice. ■ ■ ■*

### III. **CODE OF ETHICS FOR CIVILIAN PUBLIC SAFETY EMPLOYEES**

- A. As a civilian employee working in a public safety agency, I regard myself as a member of an important and honorable profession.
- B. I will recognize the positive relationship between good physical and mental conditioning and the performance of my job.
- C. I will perform my duty with efficiency to the best of my ability.
- D. I will be truthful at all times. My conduct and my performance of my duties will be accomplished in an honest manner, contributory to my fellow ■ ■ ■

# Proof of Compliance

One for  
each year,  
if available

Courtesy of Manchester NH PD



**CITY OF MANCHESTER**

New Hampshire

**POLICE DEPARTMENT**



This will certify that

*Robert C. Bifsha*

has been duly appointed by the Chief of Police for the City of Manchester  
to the position of

***Police Officer***

for said city, and has taken and subscribed the oath of office.

I, **Robert Bifsha**, do solemnly swear that I will faithfully and impartially enforce and uphold the Constitution of the United States and the State of New Hampshire. I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. I recognize the badge of my office as a symbol of public faith. I will accept it as a public trust to be held as long as I am true to the ethics of the police service, and I will perform all the duties incumbent upon me as a police officer for the City of Manchester, so help me God.

**Robert C. Bifsha**



## IV. ETHICS TRAINING

- A. The Commanding Officer of the Administrative Division shall ensure that documented ethics training is provided to all Department personnel biennially.

### Ethics Train-the-Trainer in Law Enforcement Instructional Objectives

At the conclusion of this course of instruction, the student will be able to:

# Proofs of Compliance

Courtesy of Manchester, NH PD

## MPD Training Bulletin

August 2015

### Issue 1 (CALEA 1.1.2)

This MPD Training Bulletin will address Law Enforcement ethics. Truth and integrity is one of the most important issues that our department has with our community.

It should come as no surprise that some members of our community have a strong distrust towards law enforcement. Although we may be unable to change their opinions of us,

providing a service that benefits the public. Because law enforcement is a profession, ethics and ethical conduct play an important role. Ethics and ethical standards involve doing the right thing at the right time in the right way<sup>2</sup> for the right reason.<sup>3</sup> With this in mind, the International Association of Chiefs of Police (IACP) established a code of ethics to govern the conduct of its members. This code of

**One for every two years**



# Proofs of Compliance

**From:** Page, Scott

**Sent:** Wednesday, June 26, 2013 11:15 AM

**To:** MPD\_New

**Cc:** Murphy, Gregory

**Subject:** MPD Training Bulletin (CALEA 1.1.2 Law Enforcement Ethics) - June 2013

**Importance:** High

Please review the attached training bulletin on Law Enforcement Ethics .

Officer Scott Page

Training Officer - Training Unit

**Subject:**

August Training Bulletin

**Attachments:**

2015 Ethics Training Bulletin.pdf

**Importance:**

High

**Tracking:**

**Recipient**

Abruzese, Michael

Accorto, Carlo

Adzic, Armina

**Delivery**

Delivered: 8/25/2015 11:09 AM

Delivered: 8/25/2015 11:09 AM

Delivered: 8/25/2015 11:09 AM

# Proofs of Compliance

## Courtesy of Cranston, RI PD

Username	Last Name	First Name	Cours	Course Name	Start Date	End Date	Status
aworthen	Worthen	Alicia	16-3	Ethics Review for Non-Sworn Members	1/15/16 11:03 AM	1/15/16 11:11 AM	Pass
bdunton	Dunton	Bryan	16-3	Ethics Review for Non-Sworn Members	1/25/16 12:09 PM	1/25/16 12:34 PM	Pass
cgoyette	Goyette	Christine	16-3	Ethics Review for Non-Sworn Members	1/15/16 11:12 AM	1/15/16 11:22 AM	Pass
dcoppotelli	Coppotelli	Deborah	16-3	Ethics Review for Non-Sworn Members	1/15/16 1:07 PM	1/15/16 1:31 PM	Pass
dkane	Daniel	Kane	16-3	Ethics Review for Non-Sworn Members	1/20/16 2:52 PM	1/20/16 3:04 PM	Pass
fmurga	Murga	Frank	16-3	Ethics Review for Non-Sworn Members	1/27/16 9:16 AM	1/27/16 9:22 AM	Pass
jdilorenzo	DiLorenzo	Joseph	16-3	Ethics Review for Non-Sworn Members	1/15/16 3:51 PM	1/15/16 4:01 PM	Pass
jneedham	Needham	James	16-3	Ethics Review for Non-Sworn Members	1/15/16 11:56 AM		In Progress
kmoretti	Moretti	Kerry	16-3	Ethics Review for Non-Sworn Members	1/22/16 9:33 AM	1/22/16 9:41 AM	Pass
lcaparco	Caparco	LisaJean	16-3	Ethics Review for Non-Sworn Members	1/16/16 1:00 AM	1/16/16 1:07 AM	Pass
lcaparco	Caparco	LisaJean	16-3	Ethics Review for Non-Sworn Members	1/16/16 1:07 AM	1/16/16 1:07 AM	Pass
lmolfesi	Molfesi	Linda	16-3	Ethics Review for Non-Sworn Members	1/15/16 9:47 AM	1/15/16 9:54 AM	Pass

All personnel?

# Example of Standards Issue

4.3.8 - An emotional stability and psychological fitness examination of each candidate is conducted and assessed by a qualified professional prior to appointment to probationary status. (M)

**ISSUE:** The hiring of telecommunication officers was a function of the agency's Human Resources Office and emotional stability and psychological fitness examinations were not a component of the selection and hiring process and therefore were never conducted for this assessment period.

**AGENCY ACTION:** Moving forward, the agency will require emotional stability and psychological examinations as part of the selection and hiring process for telecommunication officers.

# Amount of Proof Needed



## Initial

- Policy implementation date\*
- Contract date\*
- Not expecting three/four years of proofs
- Should Include Time Sensitive

\*Only proof you have is prior to those dates within reason— you may use it

# Bulleted Standards Proofs

## Appendix G - Non Time Sensitive



New Model moving forward

- a. Year 1, 2, 3, 4
- b. Year 1, 2, 3, 4
- c. Year 1, 2, 3, 4
- d. Year 1, 2, 3, 4
- e. Year 1, 2, 3, 4



Verify  
compliance  
each bullet  
for every  
year

# Appendix G – All Programs

## Compliance with multiple requirement (bulleted) standards

- Documentation from each year
- Proofs support each bullet
- Show continued compliance for the 4-year assessment period
- Same proof per year if the content sufficiently satisfies each bullet
- If not, each bullet will require different proofs of compliance for each assessment year.

# Proof Years

- Site-based to Site-based
  - For Example, Site-based in Nov:
    - Year 1 Nov. to Nov.
    - Year 2 Nov. to Nov.
    - Year 3 Nov. to Nov.
    - Year 4 Nov. to remote file review
- Ensure documents/proofs are dated within the time frames of the assessment period
- Ensure dates are consistent with Agency policy/procedures



# File Management



## Proof Year

**4 YEAR  
PROCESS**

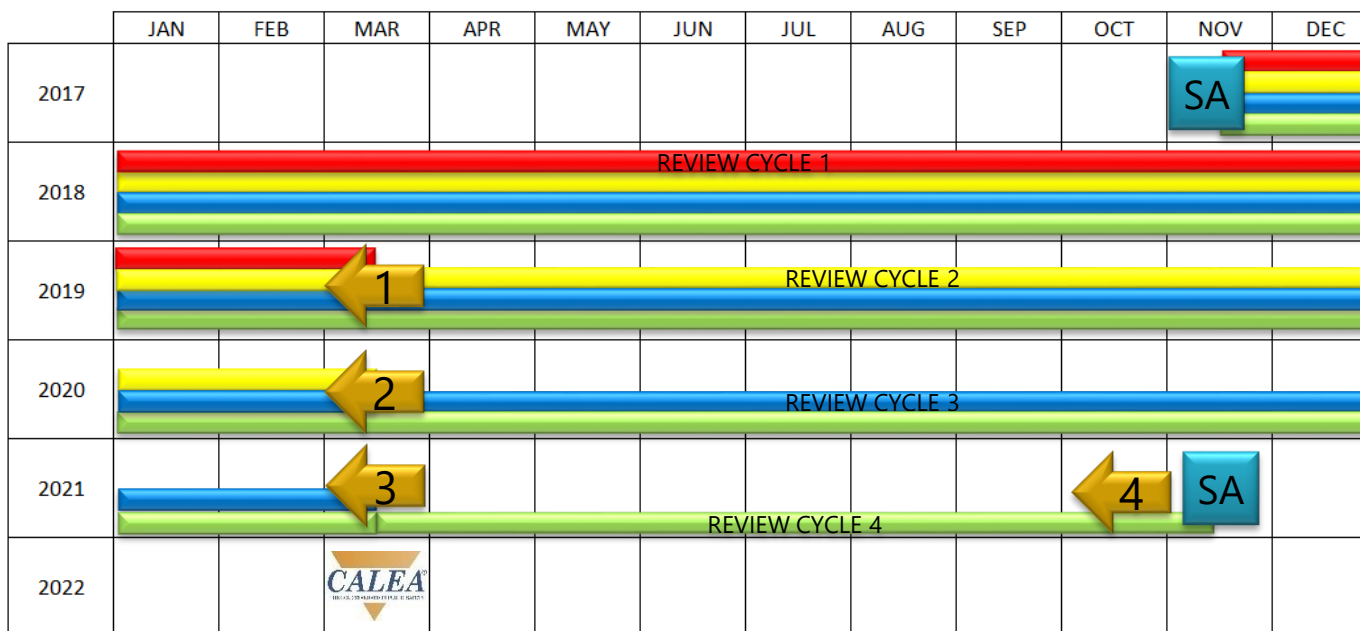
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2017											SA	
2018	PROOF YEAR 1											
2019	PROOF YEAR 2											
2020	PROOF YEAR 3											
2021	PROOF YEAR 4											SA
2022												



# File Management

## Annual Web-Based Assessment Cycles

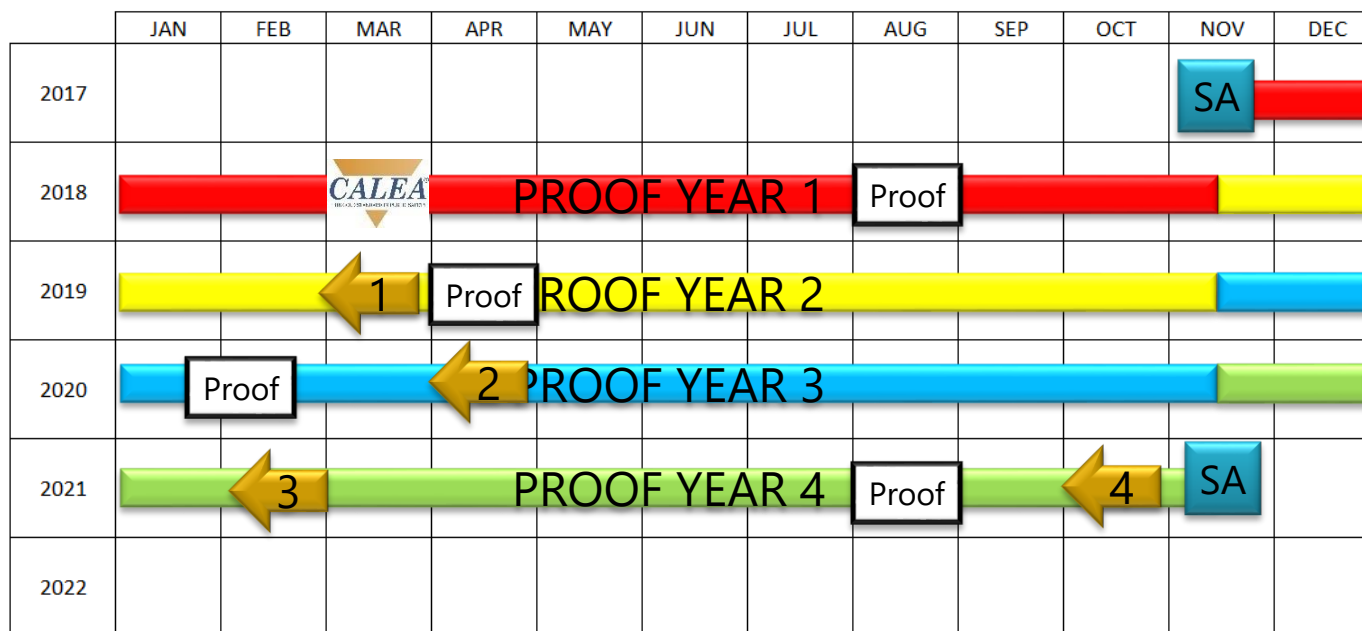
**4 YEAR  
PROCESS**



**Award Anniversary Date +/- 30  
Days AND 40 Days prior to Site-  
based Assessment**

# File Management

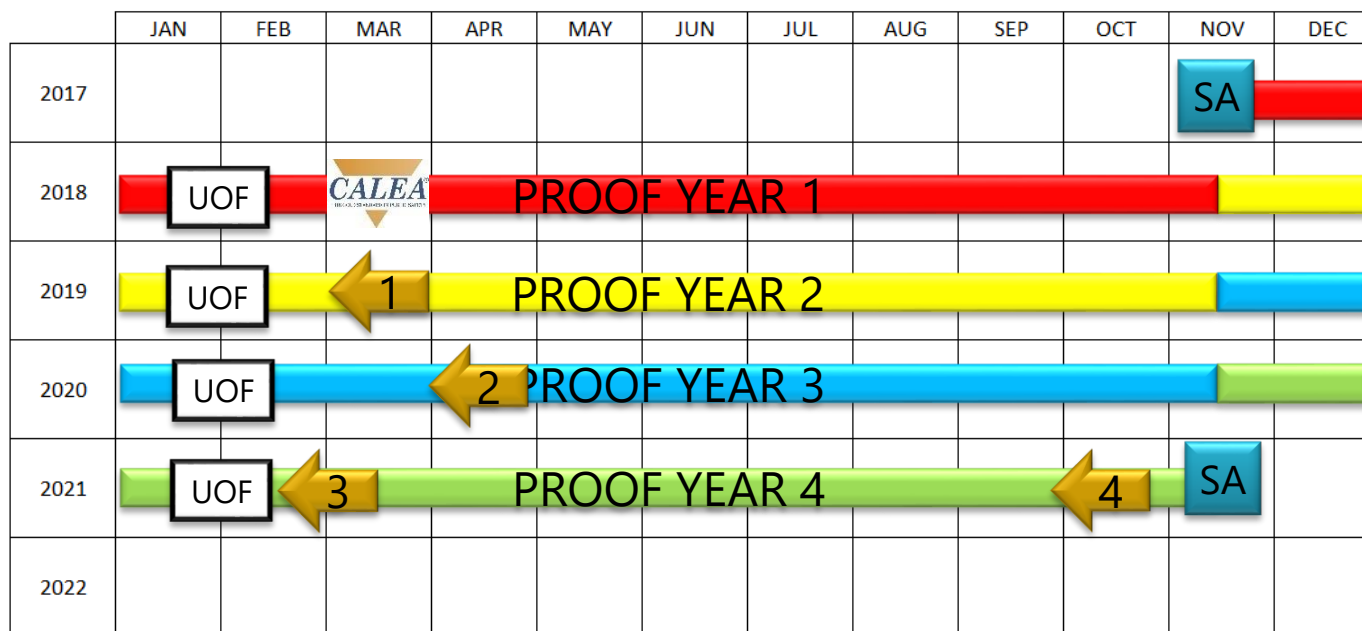
## ● Example




**Award Anniversary Date +/- 30 Days AND 40 Days prior to Site-based Assessment**

# File Management

## ● Example – Time Sensitive



← **Award Anniversary Date +/- 30 Days AND 40 Days prior to Site-based Assessment**

# STANDARDS ISSUE

17.4.2 A written directive lists all cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash and govern the maintenance of those accounts . The written directive includes, at a minimum: (f) quarterly accounting of cash activities.

**ISSUE:** ...the team determined that audits were not done on a quarterly basis. One account was only audited when additional funds were added.

**ACTION:** The agency met with the financial manager and new methods were put into place to ensure audits will be conducted quarterly. A form for the audit previously used had inadvertently been eliminated.

# ***Time Sensitive – 4 year cycle***

<b>Frequency Required by Directive And/Or CALEA Standard</b>	<b>Recommended Minimum in File for Each Year</b>	<b>Recommended Total Minimum in File</b>
Per Incident	1	4
Daily	1	4
Monthly	2	8
Quarterly	2	8
Semi-Annual	1	4
Annual	1	4
Biennial	1	2*
Every 4 Years	1*	1 or 2

\* May not be applicable if not enough time has elapsed. (Example: new standard or bullet of a new standard and time required is not sufficient for reporting)

# Example of Standards Issue

46.1.10. The agency has a written directive addressing active threats to include:

e. documented annual review of policy and training needs.

**ISSUE:** The review was not required by the existing directive.

**AGENCY ACTION:** The agency revised the directive to require this review using standard language. Since the standard was approved in March 2014, only one documented review was required. This review was conducted and produced during the on-site assessment.

# Guiding Principles



## Relevant to ALL Programs

3.1 ANY DOCUMENT BINDING  
UPON AGENCY PERSONNEL

3.2 SINGLE DIRECTIVE MAY COVER SEVERAL  
STANDARDS

3.3 WRITTEN DIRECTIVE –FOUNDATION FOR  
FUNCTIONAL COMPLIANCE = PROOFS

## Appendix B

Guiding Principles for Agencies and Assessors

1.0 Functions Performed or Delegated

2.0 Standards

3.0 Written Directives

4.0 Assessors

- CALEA.org
  - Client Data Base
  - Policy Library
  - *CALEA E-Communiqué*
- Accreditation Coalitions
- IACP. Net (use with caution)
- Google (use with caution)



# Regional Program Managers

Randy Scott	Southwest
Paul MacMillan	Northeast
Tim Baysinger	North Central
Laura Saunders	Mid-Atlantic
Dan Shaw	Great Lakes
Vince Dauro	Southeast and Caribbean
Mark Mosier	Pacific and Pacific Northwest
	Rocky Mountain and Latin America