



## Kansas Law Enforcement Accreditation Program

# Standards Manual

*Second Edition*

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## Disclaimer

This program includes voluntary standards for law enforcement agencies within the State of Kansas. The standards have been developed and approved by the Board Members appointed to the Kansas Accreditation Council (KAC). The standards are not meant as a substitute or replacement for any legal requirement that may apply to agencies involved in law enforcement services in the State of Kansas. The KAC recognizes that federal, state, and local law, collective bargaining agreements, administrative regulations, and local ordinances take precedence over these standards.





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## ACKNOWLEDGMENTS

The Kansas Law Enforcement Training Center (KLETC) wishes to express appreciation to the Kansas Association of Police Chiefs (KACP) and the Kansas Sheriffs' Association (KSA). Their encouragement and cooperation were greatly appreciated in the development of the Kansas Law Enforcement Accreditation Program (KLEAP).

The Commission on Accreditation from Law Enforcement Agencies (CALEA), the Washington Association of Sheriffs & Police Chiefs, the Oklahoma Association of Chiefs of Police, and the Arizona Association of Chiefs of Police accreditation programs and standards, as well as programs and standards from several other states, served as models in the development of this project. However, the program reflects statutes and processes unique to Kansas and designed specifically for Kansas Law Enforcement Agencies. Many of the standards are consistent with or drawn from those developed by the above-mentioned organizations, which further validates the ongoing professionalization efforts of the law enforcement community.

The Kansas Law Enforcement Accreditation Program (KLEAP) was developed by and is directed by Kansas Law Enforcement Executives for Kansas Law Enforcement Agencies. The Kansas Law Enforcement Training Center (KLETC) serves as the facilitator of the KLEAP and appoints the Program Director to lead in the development and administrative management of the process. Bylaws were developed and approved to create the Kansas Accreditation Council (KAC). KLEAP is managed and directed by the KAC. The Program and Standards Manual represent the efforts and contributions of countless Council members' voluntary hours. The development and timely completion of this program would have not been possible without the combined hard work and unselfish dedication from Kansas Accreditation Council Members.





## INTRODUCTION to the 2<sup>nd</sup> Edition

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Accreditation is an ongoing process during which agencies evaluate policy and procedure as well as practice, against established criteria, and have their compliance with those criteria verified by an independent and authoritative body. The criteria or standards are policy development guidelines that represent a level of quality service delivery. The true indicator of compliance, however, is the result of an evaluation by certified, independent professional peers. The establishment of meaningful and professional standards and an evaluation to determine compliance with those standards are therefore the two fundamentals of an accreditation program.

The Kansas Law Enforcement Agency Accreditation Council (KAC) is tasked with developing and maintaining a formal accreditation process specific to Kansas law enforcement agencies, including the development of a comprehensive set of professional standards. KLEAP relies heavily on the voluntary efforts of the law enforcement community in order to remain current with emerging professional trends. Participation in the program reflects the spirit of cooperation and commitment of Kansas law enforcement.

Application of the standards within this document contributes to the professionalism, training, and positive actions demonstrated by employees of Kansas' law enforcement agencies; compliance with the standards actualizes law enforcement professionalism. Policy and procedure based on professional standards will not ensure a crime-free environment for citizens, nor will it ensure an absence of litigation against law enforcement agencies and executives. However, effective and comprehensive leadership through professionally based policy development directly influences a law enforcement agency's capacity to deliver mandated services, with a greatly enhanced ability to reduce the possibility of successful litigation.

The ultimate goal of all accreditation programs is enhanced service delivery. The goal of the KAC is to make available a framework whereby the Kansas law enforcement community is provided a voluntary, accreditation program that is affordable, meaningful, and attainable based on standards that reflect professional service delivery. This framework incorporates community-policing principles with the goal of building trust in the communities Kansas law enforcement agencies serve. In developing the program, KLEAP recognized the limited financial and staffing resources of a great many agencies and developed standards that would not place overwhelming demands on those resources.

The development of agency policy is one of the most significant duties of chief executive officers and sheriffs; however, this manual contains no policies or procedures. The standards developed by the KAC are only guidelines for what should be done, not how it should be done. Policies on many topics -- the use of force, for instance -- may be very similar among most agencies. On the other hand, policies dealing with disciplinary actions may vary greatly. Policy development that complies with these standards, however, remains dependent upon the judgment of the chief law enforcement executive officer.











The 2<sup>nd</sup> Edition includes standards for compliance with Section 19 of Executive Order (EO) 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, signed May 25, 2022, updated May 2023 and May 2024 and for compliance with Kansas Statutes that require the adoption of written policies by Kansas law enforcement agencies. To qualify as an independent credentialing body, the accreditation entity is responsible for ensuring that they have law enforcement standards that address the mandatory standards as governed by EO 14074. Additional requirements to qualify as an independent credentialing body include:

1. The independent credentialing body must conduct an independent assessment of a law enforcement agency's compliance with applicable mandatory standards as part of the accreditation process and not rely on the agency's self-certification alone.
2. The independent credentialing body must require an accredited law enforcement agency to successfully renew its accreditation status not less than every four years.
3. The independent credentialing body must maintain a publicly available list of law enforcement agencies that are currently accredited by their organization.

The 2<sup>nd</sup> Edition, updated in 2024, is a comprehensive survey of the standards. Council members endeavored to update standards in light of federal requirements governed by Executive Order 14074 and Kansas statutory requirements. All standards were reviewed, some were updated, and enhancements made. The 2<sup>nd</sup> Edition could not have been completed without the dedication and experience of the Kansas Accreditation Council comprised of Chief Buck Buchanan, Sheriff David Falletti, Chief Derek Cid, Sheriff Jeffrey Richards, Chief Robert Spinks, Sheriff Chris Wells, KLETC Deputy Executive Director Ron Gould, and Program Director Suellyn Hooper.

The 2<sup>nd</sup> Edition includes the following enhancements to help agencies identify critical governing requirements by the standard by the addition of color-coded "TAGS" added to the standard title as denoted below:

-  [TS] – Time sensitive standard requirement(s) exist.
-  [EO] – Executive Order 14074 mandatory standard.
-  [OBS] – Observable - assessors will confirm compliance during the on-site assessment.
-  [KSA] – A Kansas Statute requires the adoption of a written policy by the agency.
-  [DT] – Associated Statistical Data Table must be completed.
-  [TRG] – Standard includes a training requirement(s).

To view a comprehensive breakdown of the changes from the 1<sup>st</sup> Edition to the 2<sup>nd</sup> Edition agencies shall refer to the **Crosswalk Standard Manual - 1<sup>st</sup> Edition to 2<sup>nd</sup> Edition** on the [KLEAP Website - Manuals](#).





## KLEAP Standards

### Chapter 1 - Agency Role and Authority

#### Section 1.1 - Agency Role

##### 1.1.1 Oath of Office: [M]

A written directive requires all sworn and non-sworn personnel, before entering upon the duties of their office or employment, subscribe in writing to an oath of office to support the Constitution of the United States and the Constitution of the State of Kansas. A copy of the oath shall be maintained by the agency.

Guidance: This standard is applicable to entry-level law enforcement positions and positions of higher rank.

Agencies may refer to K.S.A. 75-4308, K.S.A. 54-106, K.S.A. 75-4310, and K.A.R. 106-3-6.

##### 1.1.2 Code of Ethics: [M]

A written directive requires all agency personnel abide by a code or canon of ethics adopted by the agency.

Guidance: All agency personnel should receive instructions that concern their position dilemmas, responsibilities, and duties. The International Association of Chiefs of Police (IACP); or the National Sheriff's Association (NSA) Code of Ethics will satisfy the intent of this standard.

##### 1.1.3 Consular Notification: [M]

A written directive governs *procedures* for assuring compliance with all consular notification and access requirements in accordance with international treaties when arresting or detaining foreign nationals.

Guidance: To ensure compliance with Article 36 of the Vienna Convention on Consular Relations that provides certain rights to foreign nationals. Law enforcement agencies in the United States can obtain relevant information and detailed guidance by consulting the U.S. State Department's publication entitled Consular Notification and Access.

Agencies are encouraged to refer to the [US State Department Sample Policy – Consular Notification](#), specially the definition for arrest or detention.





## *Section 1.2 - Limits of Authority*

### **1.2.1 Legal Authority Defined: [M]**

A written directive defines the legally mandated authority and responsibility of the agency's sworn officers.

Guidance: The written directive should define and elaborate on the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes, ordinances, and arrests.

Agencies may refer to K.S.A. 22-2202, K.S.A. 12-4212, K.S.A. 22-2401, K.S.A. 12-4111, K.S.A. 19-813, K.S.A. 74-5605, K.S.A. 74-5607a, K.S.A. 74-5616, K.S.A. 74-5622, and K.S.A. 74-5611a.

### **1.2.2 Constitutional Compliance: [M] [KSA]**

A written directive governs *procedures* for assuring compliance with all applicable constitutional requirements including the following:

- a. Access to counsel;
- b. Interviews, (including field interviews);
- c. Interrogations; and
- d. Electronic recording of custodial interrogations conducted at a place of detention in accordance with K.S.A. 22-4620.

Guidance: Procedures that ensure individual constitutional requirements and access to counsel are obviously critical. A signed waiver of rights form should accompany any voluntary waiver of an individual's rights. The written directive should also address field interviews and the circumstances in which they are used. Valuable information can be collected during the process but caution must be taken to ensure legal requirements are met. There should be a process to document and/or record the circumstances of the field interview and the information collected.

For assistants in policy development agencies are encouraged to refer to [KSCPOST Policy 202 – Electronic Recording of Interrogations](#), K.S.A. 75-4351, and K.S.A. 22-2402.

Bullet d is a brief summary of K.S.A. 22-4620. Agencies must refer to K.S.A. 22-4620 for a complete description of written directive requirements.





## 1.2.3 Search and Seizure: [M]

A written directive governs *procedures* for search and seizure with and/or without a warrant that adheres to State and Federal laws. Minimally, the written directive shall address:

- a. Consent searches;
- b. Stop-and-frisk;
- c. Movable vehicle;
- d. Exigent circumstances; and
- e. Execution of a search warrant.

Guidance: The intent of this standard is for agencies to provide general guidelines and procedures for agency personnel to follow when conducting searches that have not been reviewed and authorized by judicial personnel. It is highly recommended that search and seizure policy directives be reviewed periodically. The written directive should encompass search and seizure of individuals, vehicles, buildings, and those conducted by UAVs/drones, with or without a warrant. It should also address search warrant procedures for limiting officers to the scope of the warrant, providing a copy of the warrant at the search location and warrant returns to the court. Consideration should be given to what type of evidence or contraband can be seized as a result of the search.

Agencies may refer to K.S.A. 22-2402, K.S.A. 21-6607, and Supreme Court Case 392 U.S. 1 (1968) Terry v. Ohio.

## 1.2.4 Arrests: [M]

A written directive governs *procedures* for arrests made with or without a warrant.

Guidance: The written directive should include procedures imposed by the U.S. Supreme Court, the courts of the State of Kansas, and any legislation pertaining to or governing the laws of arrest. The agency may also include circumstances that permit a warrantless arrest; areas that may be searched incident to an arrest, both with and without a search warrant; procedures for handling persons asserting diplomatic or other forms of immunity; and requirements that pertain to arrestee rights.

Agencies may refer to K.S.A. 22-2401, K.S.A. 22-2403, K.S.A. 22-2407, K.S.A. 22-2714, K.S.A. 12-4212, K.S.A. 48-3602, K.S.A. 48-934, and K.S.A. 38-2332.







## 1.2.5 Strip and Body Cavity Searches: [M] [TS] [EO]

An agency written directive governs *procedures* for conducting strip and body cavity searches to include:

- a. Authority for conducting with and without a warrant;
- b. Privacy provision for search by same gender, gender identity, and gender expression;
- c. Provisions for circumstances involving juveniles; and
- d. Documented **reporting** requirements **when conducted**.

Guidance: Strip and body cavity searches are sometimes necessary for agency safety and security or when seizing evidence of criminal activity. These searches, however, are highly intrusive and should be conducted within the limits of legal authority, out of public view, and with due regard for human dignity. Some body cavity searches may require special hygienic procedures and qualified medical personnel to conduct the search.

Agencies may refer to K.S.A. 22-2520, K.S.A. 22-2521, and K.S.A. 22-2522.

## 1.2.6 Biased Policing: [M] [TS] [EO] [KSA] [DT] [TRG]

An agency written directive prohibits biased policing and at a minimum includes:

- a. A clear definition of racial or other biased policing;
- b. A prohibition against any biased policing;
- c. **Initial** and **annual training** for officers on implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, gender, gender identity, sexual orientation, or disability of individuals;
- d. A documented **Annual Administrative Review** of agency practices, including citizen concerns and any changes to agency training, policy or procedures taken;
- e. *Procedures* for corrective measures if an investigation reveals biased policing occurred; and
- f. A requirement to submit an **Annual Report** with the Office of the Attorney General by July 31, even if no complaints were received.

Guidance: Agencies must avoid practices that undermine the public trust, such as “racial profiling” if they are to strive for maximum effectiveness. A comprehensive “racial profiling” policy and related training provides officers with the knowledge needed to avoid unwarranted accusations. The policy should include direction based on reasonable and articulate suspicion.

For assistance with policy development agencies are encouraged to refer to [KSCPOST Policy 101 – Biased Based Policing](#), and K.S.A. 22-4606.

This standard is a summary of K.S.A. 22-4610. Agencies must refer to K.S.A. 22-4610 for a complete description of written directive requirements.





## 1.2.7 Duty to Intervene and Report: [M] [EO]

An agency written directive mandates an employee has an affirmative duty to take reasonable steps to intervene (i.e. prevent or stop, as appropriate) and notify the appropriate supervisory authority if they observe or become aware of what they believe to be:

- a. Excessive force or any other use of force that violates the Constitution, other laws, or agency policy on the reasonable use of force;
- b. Criminal conduct;
- c. Unconstitutional behavior; and
- d. Other inappropriate activities that would discredit the agency by other employees.

Guidance: Community trust in the agency can be damaged or lost if the agency has personnel that do not act when they encounter inappropriate conduct by another agency employee. It is paramount for agency personnel to know through policy and training that immediate action and intervention is a requirement of their employment and a component of their oath of office and code of ethics. All employees should be held responsible to take appropriate action in circumstances that involve agency co-workers, as well as other public safety personnel, whose actions are criminal, unconstitutional, or inappropriate and may harm the reputation of the agency or the law enforcement profession. Agency personnel should be trained to understand that some situations, such as inappropriate use of force or due process procedures may call for immediate intervention. Other situations, such as conduct unbecoming of an employee may be appropriately handled by reporting the matter to a supervisor.

## 1.2.8 Announced or Unannounced - No-Knock Entries: [M] [EO]

An agency written directive shall limit the use of unannounced entries, often referred to as “no-knock entries” and establishes *procedures* for the following:

- a. Maintenance of records;
- b. Safe execution of announced and unannounced entries;
- c. Obtaining judicial authorization for unannounced entries; and
- d. For entry if exigent circumstances arise at the scene that announcing the officers’ presence would create an imminent threat of physical violence to the officer and/or another person.

Guidance: If an officer suspects a threat to physical safety and seeks an unannounced “no-knock” warrant, it may be the policy of the agency to first get supervisory approval. The written directive should recognize, however, that there may be rare circumstances when there is justification – other than physical safety – to execute an unannounced “no-knock” entry.





## Chapter 2 - Management

### *Section 2.1 – Organization and Administration*

#### **2.1.1 Organizational Structure: [O]**

A written directive describes the agency's organizational structure and functions; and includes at a minimum the following:

- a. The agency's organizational structure is depicted graphically on an organizational chart and made available to all agency personnel; and
- b. The organizational chart is reviewed and updated as needed.

Guidance: The agency may determine its own organizational structure. The intent of this standard is to provide a written description of the agency's organization so the written directive should establish the responsibilities of each component (bureau, division, section, etc.). The agency's organizational chart should coincide with the written description and reflect the formal lines of authority and communications within the agency. The organizational chart need not contain the names of individual employees, but rather just reflect positions.

### *Section 2.2 – Authority and Responsibility*

#### **2.2.1 Accountability, Responsibility, and Authority: [M]**

A written directive describes at a minimum the following:

- a. Each employee is accountable to only one supervisor at any given time;
- b. Each employee is accountable for the use of delegated authority;
- c. Assigned responsibility is accompanied by corresponding authority; and
- d. Supervisors are accountable for the activities of employees under their immediate control.

Guidance: The intent of this standard is for the agency to establish delegated authority to each level of employee and ensure the responsibilities assigned are accompanied by the corresponding authority to complete their assigned responsibilities.

#### **2.2.2 CLEO Authority and Responsibility: [M]**

A written statement issued by local government, a law or ordinance, or combination of the two designates the Chief Law Enforcement Executive Officer as:

- a. Having full authority and responsibility for control of the operations and administration of the agency; and
- b. Fiscal management of the agency.

Guidance: The CLEO is the Chief of Police, Sheriff, and/or Director that is designated as the Chief Administrator of the agency.





## Section 2.3 – General Management

### 2.3.1 CLEO Notification: [M]

A written directive specifies *procedures* for notifying the agency's Chief Law Enforcement Executive Officer of:

- a. Noteworthy events, including potential agency liability issues;
- b. Incidents that result in heightened community interest; and
- c. Complaints against the agency or its employees.

Guidance: The directive should specify the nature of those complaints that should be brought immediately to the attention of the agency's Chief Law Enforcement Executive Officer and those that can be postponed to a later time.

## Section 2.4 – Direction

### 2.4.1 Command Protocol: [M]

A written directive establishes the order of command and authority to include:

- a. In the absence of the CLEO;
- b. In exceptional situations involving personnel from different functions; and
- c. Routine day-to-day operations.

Guidance: There is always a need to have a person designated as being responsible for the operations of the agency. The intent of this standard is to provide continuity of command and allows agency personnel to know who has been designated to manage, lead, and administer the agency in any given situation.

### 2.4.2 Duty to Obey Lawful Orders: [M]

A written directive requires agency personnel to obey any lawful order from a superior, and specific *procedures* to be followed by employees who receive conflicting or unlawful orders.

Guidance: The purpose of this standard is to provide procedures addressing the area of conflicting orders or orders deemed to be illegal, unethical, or in contradiction to the agency's policies.





## Section 2.5 – Written Directives

### 2.5.1 Written Directive System: [M]

The agency shall have a written directive system that includes:

- a. Agency core values and mission statement;
- b. A description of the agency's written directive system format;
- c. A statement that grants the CLEO of the agency the authority to issue, modify, and approve written directives;
- d. Identifying by position any other individuals, other than the CLEO, authorized to issue written directives; and
- e. *Procedures* for indexing, purging, and revising written directives.

Guidance: The agency's formal written directive system provides employees with a clear expectation relating to overall employee behavior. The system should provide a distinction between the different types of written directives.

Each agency has the latitude to use various types of written directives, however, should make it clear what level of authority is required to issue each type of written directive. The agency's system should also ensure that a written directive pertaining to a sub-component does not contradict a directive issued by a higher level of authority.

### 2.5.2 Written Directive Dissemination and Storage: [M]

A written directive governs *procedures* for the dissemination and storage of agency written directives and includes at a minimum the following:

- a. Dissemination of new and revised written directives to all affected personnel;
- b. A process that confirms receipt of directives whether in written form or in some other way that is equally as effective; and
- c. Storage allowing immediate access to written directives that pertain to the employee's responsibilities.

Guidance: The agency may reserve the right to disseminate written directives in either paper-copy or electronically by storing them in a designated shared location. The agency's written directive should describe the "receipt acknowledgment" process to ensure all agency personnel are accessing the newly disseminated written directives in a timely manner and appropriate documentation is obtainable for proof of compliance.

The system should track the history of changed directives so that previous versions can be referenced if necessary. Except for those policies requiring specific reviews such as annually, every policy should be reviewed at a minimum of once every four years.





## Section 2.6 – Goals and Objectives

### 2.6.1 Goals and Objectives: [M] [TS]

A written directive requires the establishment of agency written goals and objectives and governs:

- a. **Annual updating** of goals and objectives; and
- b. Established goals and objectives are made available to all agency personnel.

Guidance: By establishing and routinely updating goals and objectives, an agency has a basis for measuring progress, as well as ensuring direction and unity of purpose.

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

An objective establishes a series of concrete steps to take to meet the goal. They are actionable and measurable. Objectives to meet the goal of establishing the K9 Unit might include: 1) Assign and train a handler; 2) Obtain funding to purchase a K9; 3) Purchase and equip a K9 patrol vehicle; etc. Objectives support the attainment of the goal.

## Section 2.7 – Accounting

### 2.7.1 Cash Account Maintenance: [M] [TS]

A written directive establishes *procedures* for collecting, dispensing, and safeguarding cash maintained by the agency, and at a minimum includes the following:

- a. A listing of agency cash fund accounts identifying the position(s) authorized to accept or dispense funds;
- b. A requirement that receipts or documentation be maintained for disbursements;
- c. A balance sheet, ledger, or another equivalent accountability system that identifies the initial balance, incoming cash (credits), disbursed cash (debits), and the current balance on hand; and
- d. Preparation of **Quarterly Financial Statements** that include balance at the beginning of each period, expenditures and funds received during the period, and ending balance for the period.

Guidance: Procedures developed to implement this standard will ensure that cash is properly handled within the agency. The system may be simple or complex. For the purpose of this standard, the term cash includes, but is not limited to: report fees, bonds or fines, petty cash funds, coffee funds, copy fees, fingerprint fees, document fees, payments to informants, drug buy money, etc.





## Section 2.8 – Contracts

### 2.8.1 Mutual Aid: [M]

Kansas Statutes within Chapter 48, Article 9, Emergency Preparedness for Disasters provides governing legislation for mutual aid and assistance in the state. The agency shall have a written directive to give guidance to personnel that minimally includes the following:

- a. Declared emergency, delineation of who has the authority to request assistance and who has the authority to approve a request for assistance received from another agency;
- b. Declared emergency, delineation of who is permitted to authorize resources to respond to such requests; and
- c. Agreements or memorandums of understanding with other agencies, if applicable.

Guidance: None

### 2.8.2 Contractual Service Agreements: [M]

A written directive establishes *procedures* governing contractual service agreements for any law enforcement services provided by the agency.

Guidance: Contractual service agreements should protect the agency by outlining the terms and conditions of the services to be provided. The purpose of such agreements is to protect both parties from misunderstandings by clearly stating what services will be provided, how they will be provided, and the length of time they will be provided.

Elements of the contractual service agreements may include: 1) A statement of the specific services to be provided. 2) Language detailing financial agreements between the agencies. 3) Any requirement for records to be maintained. 4) Language detailing the duration, modification, and termination of the contract. 5) Legal contingencies. 6) Stipulate the provider agency maintains control over its personnel. 7) Procedure for review, if needed.





## Section 2.9 - Community Involvement

### 2.9.1 Community Partnership Activities: [O]

A written directive establishes the agency's community involvement activities and provides the following, at a minimum:

- a. Establishment of partnerships and collaborative efforts involving law enforcement agency personnel, community organizations and groups, businesses, neighborhoods, and citizens;
- b. Publicizing agency objectives, community problems, and successes; and
- c. Improving agency practices bearing on police-community interaction.

Guidance: Law enforcement agencies should establish contacts within the community they serve. Without "grass root" community support, successful enforcement may be difficult. Community involvement is effective in eliciting public support, assists in identifying problems in the community, and fosters cooperative efforts in resolving community issues.

## Section 2.10 - Inspections

### 2.10.1 Line and Staff Inspections: [O] [TS]

A written directive describes the agency *procedures* for conducting Line and Staff Inspections and includes at a minimum:

- a. Frequency for **conducting Line and Staff Inspections**;
- b. Identity and responsibilities of the person(s) assigned to conduct Line and Staff Inspections; and
- c. Follow-up *procedures* for correcting deficiencies identified while conducting Line and Staff Inspections.

Guidance: The agency's inspection process is an essential tool for evaluating the agency's operations, ensuring goals are being pursued, and identifying the need for additional resources. An accreditation on-site assessment can serve as a staff inspection.







## Chapter 3 - Conditions and Benefits

### Section 3.1 - Classification

#### 3.1.1 Job Descriptions - Maintenance and Availability: [M] [TS]

A written directive requires:

- a. Written job descriptions are maintained for each position or assignment within the agency;
- b. Job descriptions are made available to all personnel; and
- c. A **documented review** of job descriptions for all agency positions or assignments **every four years**, ensuring job descriptions are current.

Guidance: The job description is the foundation upon which proper training, supervision, and performance appraisals are based. Job descriptions should be written to include the minimum level of proficiency necessary in job-related skills, knowledge, abilities and behaviors, and other qualifications.

### Section 3.2 - Benefits

#### 3.2.1 Clothing and Equipment: [M]

A written directive establishes provisions for clothing and equipment authorized for use by employees in the performance of their assigned duties.

Guidance: Designated employees may be required to wear an agency-authorized uniform while others are allowed to wear civilian clothing. Equipment is also needed by various employees in the performance of their assigned duties. The written directive should stipulate those eligible for clothing and equipment issue or allowances, detail the amount to be provided, and indicate the period for which it will be provided.

#### 3.2.2 Employee Issued Identification: [M]

A written directive regarding official agency personnel identification which includes provisions for:

- a. Agency identification provided with at least the personnel's photograph; and
- b. Agency personnel's responsibility when responding to requests to view their official identification.

Guidance: The intent of the standard is to ensure the public can identify official agency personnel. Identification documents should have several features to make copying difficult as well as other information that would be helpful to the public such as the right to carry firearms. The written directive should include exceptions for officers working covert or undercover operations.





### 3.2.3 Personnel Support Services Program: [M] [EO]

A written directive encourages officer wellness through policies and *procedures* that describe support services available to agency employees to include provisions for:

- a. Substance use disorders;
- b. Mental health issues;
- c. Trauma from duty-related events; and
- d. Suicide prevention.

Guidance: Available services should be described in writing to ensure the employees know what services are available. The availability of an Employee Assistance Program (EAP) may meet requirements for compliance with this standard. Agencies may also consider a peer support group or utilization of agency Chaplains.

## Section 3.3 - Conditions of Work

### 3.3.1 Off-Duty and Extra-Duty Employment: [M]

If the agency permits employees to engage in any off-duty and extra-duty employment a written directive stipulates, at a minimum, the following:

- a. Requirement to receive agency permission prior to engaging in any off-duty and extra-duty employment;
- b. Types of off-duty and extra-duty employment in which an employee may or may not work;
- c. Employee conduct while working extra-duty employment that involves or has the potential to involve law enforcement related duties;
- d. Use of agency uniform/equipment while engaged in extra-duty employment;
- e. Limitation of hours that may be worked; and
- f. Restrictions for working any off-duty and extra-duty employment while on sick leave, leave without pay, administrative duty, injury leave, and any other limited duty status.

Guidance: Agencies should refer to Addendum A – Glossary for a definition of Extra-Duty and Off-duty employment.

It is highly recommended that the agency CLEO consider the potential legal ramifications of allowing law enforcement officers to engage in extra-duty employment when law enforcement related responsibilities will or may be used. If extra-duty or off-duty employment is allowed by the agency, it is important to the law enforcement agency that policies are developed to manage and regulate the outside employment of agency personnel.





### 3.3.2 Social Media: [M]

A written directive governs the on-duty and off-duty use of social media, social networks, and personal web pages utilized by agency personnel and, at a minimum:

- a. Requires the CLEO or designee's approval of agency information released on social media outlets or clearly defined written guidelines of approved/prohibited content;
- b. Prohibits the exposure of agency-sensitive information (i.e., investigations, future plans, undercover officers, etc.); and
- c. Prohibits the disclosure of information which has the effect of damaging the agency's reputation or credibility, or is detrimental to the agency's mission.

Guidance: Social media and social networking sites play a role in the personal lives of most agency employees and can have a bearing on official capacity. To that end, the agency's written directive should provide information of a precautionary nature, as well as, prohibitions on the use of social media by agency personnel.

## Section 3.4 - Grievance Procedures

### 3.4.1 Grievance Procedures: [M] [DT]

A written directive establishes grievance *procedures*, which at a minimum include:

- a. Identify matters that qualify for grievance;
- b. Time limitations for filing a grievance;
- c. Type of information to be submitted when filing a grievance;
- d. Criteria for employee representation;
- e. Designation of a position responsible for the coordination of grievances; and
- f. *Procedural* steps to be followed and time limitations at each step in the grievance process or appeal.

Guidance: A formal grievance procedure helps resolve differences between the agency and personnel. If grievance procedures are part of a collective bargaining agreement, that agreement would meet the definition of a "written directive." Nonetheless, this standard applies to all agency employees. If more than one grievance procedure exists, each should be provided.

The written directive should require a written statement, of the grievance, to be submitted. It should include the allegation of wrongdoing being grieved and the remedy or change being sought. A form may be designed for this purpose providing uniformity in the submission of information.

The procedures should include an appeal process. Grievances normally follow an employee's chain of command within the agency. The procedures should identify the levels of appeal, the time limits at which each level should respond, and the final level of authority.





## *Section 3.5 - Performance Evaluations*

### **3.5.1 Performance Evaluation System: [M] [TS] [EO]**

A written directive establishes *procedures* and describes an annual performance evaluation system that at a minimum includes:

- a. Measurement definitions;
- b. Documented **annual performance evaluations** of each full-time employee, with the exception of the CLEO;
- c. Criteria for assessment of an officer's adherence to agency policies;
- d. Criteria for assessment of a supervisor's effectiveness in addressing misconduct by officers they supervise;
- e. Criteria used for evaluation are specific to the job functions of the employee during the rating period;
- f. Performance evaluations are reviewed by the rater's supervisor;
- g. Employees are given the opportunity to sign and make comments on the performance evaluation report; and
- h. Retention requirements of performance evaluations.

Guidance: A performance evaluation system is critical to identifying performance deficiencies in employees and providing performance improvement strategies. Evaluation reports should be read and understood by the employee. The signature provides an indication this was done but does not imply agreement or disagreement with the content of the report. The retention schedule should be consistent with the Kansas State Records board-approved retention schedules.





## Chapter 4 - Recruitment and Selection

### Section 4.1 - Recruitment

#### 4.1.1 Background Investigations: [M] [EO]

A written directive describes all elements and activities of the selection, hiring, and vetting process for all candidates (sworn and non-sworn). Prior to appointment, a background investigation of each candidate shall be conducted that includes at a minimum:

- a. A fingerprint check for criminal record;
- b. A check of the applicant's driving history and verification of operator's status, if driving is a requirement of the position;
- c. A review of the candidate's application and/or pre-employment questionnaire for verification of qualifying credentials for the position they applied for;
- d. Education verification;
- e. Employment history verification;
- f. Verification of personal/professional references;
- g. Criminal history report;
- h. Sworn candidates, a review of relevant national, state decertification records including the National Decertification Index (NDI);
- i. Sworn candidates, a review of the National Law Enforcement Accountability Database (NLEAD); and
- j. In accordance with applicable law and consistent with the First Amendment, a check of publicly available Internet and information-sharing sites to identify activity that promotes or supports any unlawful violence, unlawful bias against persons based on race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability.

Guidance: Comprehensive background investigations are essential in determining the qualifications of the candidate for the position under consideration. For all candidates for a sworn position, a check of criminal history with particular attention to any acts of domestic violence, sexual abuse, stalking, elder or child abuse is essential in determining fitness for the position. For sworn and non-sworn candidates with CJIS access, a criminal history check is essential in complying with the Kansas Criminal Justice Information System (CJIS) Security policies.

Agencies may refer to The Kansas Law Enforcement Training Act and K.S.A. 74-5605.





## 4.1.2 Medical Examinations: [M]

The agency requires a medical examination for all sworn candidates to be performed by a licensed physician and a drug screening is conducted, following a conditional offer of employment and before appointment to the position.

Guidance: Agencies may refer to the Kansas Law Enforcement Training Act or K.S.A. 74-5605.

## 4.1.3 Psychological Examinations: [M]

The agency requires psychological testing for all sworn candidates to be performed by a licensed professional after a conditional offer of employment is issued and before appointment to the position.

Guidance: The mental and psychological health of a law enforcement officer is essential.

Agencies may refer to The Kansas Law Enforcement Training Act or K.S.A. 74-5605.

## 4.1.4 Recruitment, Retention, and Promotion: [M] [TS] [EO] [DT]

The agency has a written plan that demonstrates the agency's strategy for recruitment, retention, and promotion of personnel that includes at least the following elements:

- a. A Recruitment Plan that prioritizes hiring personnel who are representative of the communities they are sworn to serve;
- b. A Promotion Plan for sworn personnel, which minimally includes a review of the officer's disciplinary file and annual performance evaluation;
- c. A Retention Plan for sworn personnel that includes a career development strategy, encourages mentorship, promotes retention, and provides leadership development opportunities; and
- d. **Review** and **revision** of the plan at least **every four years**.

Guidance: The plan may be a part of the agency's written directive system or separate and distinct planning documents. The plan should include best practices for recruitment, hiring, retention, and promotion.

Examples of specific action steps that may be identified in an agency's recruitment might include: is utilizing in the agency's recruitment activities minority personnel who are fluent in the community's non-English languages and are aware of the cultural environment, when applicable. Representing women and minorities in law enforcement roles in the agency's recruitment literature and on websites when applicable. Conduct recruitment activities outside of the agency's jurisdiction, when necessary, to attract viable law enforcement candidates. Periodically host a "career" or "information" night for a particular target group.





## Chapter 5 – Professional Standards

### *Section 5.1 - Disciplinary Procedures*

#### **5.1.1 Code of Conduct and Appearance: [M]**

A written directive establishes a code of conduct and appearance guidelines for agency personnel.

Guidance: The intent of this standard is to establish professional guidelines for all agency personnel. Professionalism is the cornerstone of the provision of quality service to the community. The written directive should address topics such as: use of alcohol and drugs, acceptance of gratuities, bribes, abuse of authority, and proper use of equipment. Any prohibitions should be specific.

#### **5.1.2 Sexual/Unlawful Harassment: [M]**

A written directive prohibits any type of unlawful harassment in the workplace and addresses, at a minimum, the following:

- a. Reporting guidelines, including how to report if the offending party is in the complainant's chain of command; and
- b. "Whistleblower" protection.

Guidance: The purpose of this standard is to prevent discriminatory and/or harassing practices and ensure conformance with Title VII of the Civil Rights Act of 1964. Strong policies prohibiting any such harassment must be established with a requirement that all allegations made of such activity will be thoroughly investigated.





### 5.1.3 Disciplinary System: [M] [EO] [DT]

A written directive establishes *procedures* for the agency's disciplinary system that establishes mechanisms for holding personnel accountable for violating policies which includes timely and consistent discipline, if warranted. At a minimum the agency's written directive shall include:

- a. Training as a form of discipline;
- b. Counseling as a form of discipline;
- c. Taking punitive actions in the interest of progressive discipline;
- d. An employee appeal process; and
- e. Recognition of employment rights and procedural safeguards provided by applicable Kansas Statute, case law, and a Collective Bargaining Agreement, if applicable.

Guidance: A written directive may use training as a constructive method of improving and an employee's performance. The goal of utilizing counseling may be to change negative behavior before punitive discipline is necessary. Punitive actions may include reprimands, suspension, demotion, reduction of leave, transfer, and termination.

Agencies may refer to [H.R. 1972 - Law Enforcement Officer's Procedural Bill of Rights Act of 2009](#) for acknowledgment of employment rights.

### 5.1.4 Supervisor Responsibilities Regarding Discipline: [M]

A written directive designates the role of each level of supervision and the authority associated relative to disciplinary action.

Guidance: The written directive should clearly define the responsibilities and authority of each level of supervision within the agency to deal with disciplinary matters.







## 5.1.5 Early Intervention System: [M] [EO]

An agency written directive establishes an early intervention system, or other similar risk management tool, to identify employees who may require agency intervention efforts. The written directive shall minimally include:

- a. Actions or behaviors that shall be monitored and documented;
- b. Protocols for fitness-for-duty evaluations based on identified early warning behaviors or actions;
- c. Supervisors responsibility to identify problematic conduct;
- d. Supervisors responsibilities to conduct appropriate interventions to correct behavior and help prevent avoidable uses of force;
- e. Referral to some type of employee assistance program, counseling, peer support, when warranted, if available.

Guidance: Personnel early intervention systems are used to identify personnel that would benefit from early intervention prior to an internal affairs review or implementation of disciplinary action. Agencies shall establish thresholds or triggers to initiate a review. Such criteria may include, but is not limited to: absenteeism, tardiness, use-of-force incidents, on-the-job injuries, vehicle collisions, unexplained dismissal of court cases, etc.

Agencies should consider including positive indications of performance in order to gather a more complete synopsis of an employee's patterns of behavior.

## Section 5.2 - Organizational Integrity

### 5.2.1 Complaint Investigations: [M] [EO] [DT]

An agency written directive establishes effective *procedures* for managing all complaints of misconduct, illegal behavior, alleged improper profiling, or bias policing against the agency or its employees. Minimally, procedures include:

- a. Receiving complaints, to include anonymous complaints;
- b. Investigating complaints, to include anonymous complaints; and
- c. Responding to complaints.

Guidance: As a means to ensure the integrity of its operations and personnel, all allegations/complaints, regardless of the source should be thoroughly investigated to the extent possible.

### 5.2.2 Records of Complaints: [M]

A written directive requires that a record of all complaints against the agency or its employees be securely maintained to safeguard the confidentiality of all parties involved and the records be kept in accordance with the Kansas State Records Board Retention Schedules.

Guidance: The intent of this standard is to ensure internal affairs records are securely maintained separately from central records and in accordance with state retention requirements.





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## *Section 5.3 - Complaint Procedures*

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### **5.3.1 Complaint Notifications: [M]**

A written directive governs notification to complainants regarding the disposition of their complaint.

Guidance: The intent of this standard is to establish a process for notifying the complainant of the status of their complaint, although the degree of specificity of the notice is left to the discretion of the agency. This standard does not apply to anonymous complaints.

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### **5.3.2 Notification of Alleged Misconduct: [M]**

A written directive requires the agency to issue an employee who is the subject of an investigation with a written statement of the allegations and the employee's rights and responsibilities relative to the investigation.

Guidance: None.

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## Chapter 6 – Use of Force

### *Section 6.1 - Use of Force*

#### **6.1.1 Use of Force: [M] [EO]**

A written directive governs that personnel will only use reasonable force necessary to accomplish lawful objectives and shall employ de-escalation techniques when possible.

Guidance: Agencies should provide training ranging from immediate action to de-escalation to ensure decisions to use force are made with an understanding and appreciation for the limitations on the authority to use force.





## 6.1.2 Use of Deadly Force: [M] [EO]

The agency's written directive governs that officers may use deadly force only when the officer has objectively reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person. The agency's written directive shall include language that:

- a. Prohibits the use of chokeholds and carotid (or vascular neck) restraints except where the use of deadly force is authorized by law;
- b. Prohibits the use of deadly force to prevent the escape of a fleeing suspect unless the suspect poses an imminent danger of death or serious physical injury to the officer or another person;
- c. Prohibits the discharge of firearms from a moving vehicle except in exigent circumstances. In these situations, an officer must have articulable reason for this use of deadly force;
- d. Prohibits the discharge of firearms at a moving vehicle unless: (1) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or (2) the vehicle is operated in a manner that threatens to cause death or serious physical injury to the officer or others, and no other objectively reasonable means of defense appear to exist, which includes moving out of the path of the vehicle.
- e. Requires that a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force, if feasible and if to do so would not increase the danger to the officer or others;
- f. Recognizes the inherent dangerousness of warning shots, defined as the discharge of a firearm for the purpose of compelling compliance from an individual, but not intended to cause physical injury. If warning shots are permitted, they must have a defined target and not be fired straight up in the air, and shall not be fired unless: (1) The use of deadly force is justified; (2) The warning shot will not pose a substantial risk of injury or death to the officer or others; and (3) The officer reasonably believes that the warning shot will reduce the possibility that deadly force will have to be used.
- g. Prohibits the use of deadly force against persons whose actions are a threat solely to themselves or property unless an individual poses an imminent danger of death or serious physical injury to the officer or others in close proximity.

Guidance: The intent of this standard is to establish a policy on the use of deadly force that provides officers with guidance in the use of force in life-and-death situations and to prevent loss of life including that of the officer.

Agencies may refer to K.S.A. 21-5220 through K.S.A. 21-5231 and Supreme Court Cases: *Graham v. Connor*: 490 U.S. 386 (1989); *Tennessee v. Garner*: 471 U.S. 1 (1985)





### 6.1.3 Rendering Medical Aid: [M] [EO]

An agency written directive establishes the affirmative duty to take reasonable steps to request and/or render medical aid, as appropriate where needed when an injury is known, suspected, or alleged.

Guidance: The intent of this standard is to help minimize the severity posed by obvious injuries or non-visible trauma associated with law enforcement actions. Rendering medical aid may include increased observation to detect obvious changes in one's condition, flushing chemical agents from one's eyes, applying basic first aid, evaluation by paramedics, or for more serious or life-threatening injuries, immediate aid by medical professionals.

## Section 6.2 - Reporting and Review

### 6.2.1 Use of Force Reporting: [M] [TS] [DT]

A written directive requires **written documentation** be **completed** whenever an agency employee:

- a. Discharges a firearm (other than routine training, euthanize an animal, or recreational purposes);
- b. Takes action that results in, or allegedly results in, injury or death of another person;
- c. Applies force through the use of less-lethal or a lethal weapon(s);
- d. Applies weaponless physical force at a level defined by the agency.

Guidance: The intent of this standard is to establish the use of force reporting systems within the agency for effective review and analysis. The reporting systems should help identify trends, improve training and employee safety, and provide timely information for the agency addressing the use of force issues with the public to help establish credibility.

Software programs may be utilized to generate the necessary reporting elements of this standard or the agency may choose to use a variety of reporting methods to document the use of force. Agencies may document this type of information using a standard checklist report format associated with the arrest or incident report.

When deciding the threshold of when to generate a "use of force report" and how extensive the report needs to be, the agency should carefully examine all incidents wherein its personnel have caused, or are alleged to have caused an injury or death to another, have accidentally or intentionally discharged a firearm, or applied weaponless force upon another to the extent it is likely to cause injury, the claim of injury, or allegations of excessive force. The agency's written directive should also consider addressing who is required to complete a "use of force report" when multiple personnel was engaged in the same use of force incident (e.g. tactical teams).





## 6.2.2 Administrative Review of Use of Force Reporting: [M] [TS]

A written directive governs *procedures* for **Administrative Review** of each use of force report completed in accordance with standard 6.2.1.

Guidance: The use of force by law enforcement officers in the delivery of public safety creates high liability issues for agencies. Detailed documentation of the use of force incidents allows for proper administrative review and the collection of data that contribute to safer strategies for officers and the public.

Recommended data to be collected should include a summary of the incident; race, gender, and age of the subject to which force was applied; date, time, location, and circumstances requiring the use of force; documentation of injuries, alleged injuries; medical treatment; and acknowledgment of a supervisory review, including any follow-up action taken.

The process for reviewing the use of force reports should be articulated in your written directive. Each reportable use of force incident should be evaluated to determine whether the action taken by the officer was in accordance with agency policy and applicable laws.

## 6.2.3 Annual Analysis of Use of Force Reporting: [M] [TS]

The agency conducts an **Annual Analysis** of its use of force reports, completed in accordance with standard 6.2.1, and the agency policies and procedures. The annual analysis at a minimum should identify:

- a. Day and time incident occurred;
- b. Types of incidents resulting in the use of force;
- c. Trends or patterns related to race, age, gender, reason for contact, and location of subjects involved;
- d. Trends or patterns of injuries to any subjects or employees involved; and
- e. Any influence of findings on policies, procedures, training, and equipment.

Guidance: The intent of the analysis is to determine if there are patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications.

## 6.2.4 Use of Force Reassignment: [M]

A written directive mandates that any employee, whose action or use of force in an official capacity results in serious injury or death of another, be reassigned and/or placed on administrative leave pending an administrative review.

Guidance: The intent of this standard is to ensure the agency has in place a formal response, review, and investigative process for officer-involved shootings that result in injury or loss of life, that comply with state law and protect interests, rights, and mental health of involved officers. The agency may consider reassignment of all employees involved in a critical or traumatic incident, not limited to shootings, and may include incidents such as a fatal motor vehicle collision involving the employee. It is suggested the procedure identify resources available to employees during post-fatality investigation and employee reintegration, such as peer support groups, mental health resources, etc. In some critical incidents, the employee's family may also benefit from assistance.





## Section 6.3 - Weapons

### 6.3.1 Use of Authorized Less Lethal Weapons: [M]

An agency written directive governs the use of authorized less-lethal weapons by sworn and/or non-sworn personnel.

Guidance: The purpose of this standard is to ensure the proper use of all agency authorized less lethal weapons.

### 6.3.2 Authorized Weapons and Ammunition: [M]

A written directive establishes the types of weapons and ammunition that are approved by the agency for on and off-duty law enforcement related activities.

Guidance: The intent of this standard is to establish control over all firearms, less-lethal weapons, and ammunition agency members are allowed to carry and use in the performance of their official duties, both on and/or off duty.

Guidelines should be established for the exact types and specifications of each category of weapon, including specialized weapons used by members of specialty teams.

A complete record of all weapons approved by the agency should be maintained. For firearms, the record should list the type, description, identifying model, and serial number for each firearm, as well as the name of the employee it is assigned to.

### 6.3.3 Weapons Proficiency and Training Requirements: [M] [TRG]

A written directive at a minimum establishes *procedures* for:

- a. Prior to any use or carrying of weapons, agency personnel **demonstrate specified proficiency** in the use of that weapon;
- b. Weapons (firearms) **qualification and proficiency training** must be conducted **annually**, for all weapons (firearms) carried by agency personnel;
- c. **In-service training and requalification** for other less-lethal weapons and weaponless control techniques shall occur at least **biennially**;
- d. Qualifications and proficiency training shall be conducted by a certified firearms instructor;
- e. A requirement that qualifications and proficiency training be documented; and
- f. Duty status for those who fail to qualify, to include remedial training.

Guidance: The intent of this standard is to cover the carrying and use, both on and off duty, of all weapons. Demonstrating proficiency should include: achieving minimum qualifying scores on an approved course; attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and familiarity with any agency-related policies on the use of force and procedures for safe handling of weapons. Firearms instructor certification programs such as those provided by the Kansas Law Enforcement Training Center (KLETC) or the FBI Firearms Instructor Program for law enforcement are recommended.





## Chapter 7 – Training

### Section 7.1 - Administration

#### 7.1.1 Training Records Maintenance: [M]

A written directive requires the agency to maintain and update records of employees following their participation in training.

Guidance: It is important for the agency and its employees to record all training programs and courses personnel attended. Data that should be recorded for each employee includes at a minimum: 1) Date of the training; 2) Type of training; 3) Certificates received; 4) Available test scores.

### Section 7.2 - Officer Training

#### 7.2.1 Initial Law Enforcement Training: [M] [TRG]

The agency requires each law enforcement officer to:

- a. Attain a certification issued under the Kansas Law Enforcement Training Act; and
- b. **Complete an agency Field Training Program** before assignment to unaccompanied field duty.

Guidance: The intent of this standard is to preclude assigning persons to positions requiring the carrying of weapons, enforcing the law, or making arrests until they have been trained.

#### 7.2.2 Annual In-Service Training: [M] [EO] [TRG]

An agency written directive requires law enforcement officers complete the **annual minimum hours of continuing education or training** in subjects relating directly to law enforcement in accordance with The Kansas Law Enforcement Training Act. The written directive must include **annual in-service training** on the following agency policies:

- a. **Use of force, including legal updates;**
- b. **Duty to intervene and report;** and
- c. **Requesting and/or rendering medical aid.**

Guidance: The purpose of this standard is to ensure sworn law enforcement officers complete the annual training required by KS CPOST and receive annual training in high-liability issues.

Agencies should refer to Supreme Court Case: 489 U.S. 378 (1989) City of Canton v. Harris – Addresses liability and “failure to train.”







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*Section 7.3 - Other Training*

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**7.3.1 Training Upon Promotion: [M] [TRG]**

The agency provides **job-related training** to all personnel **upon promotion**.

Guidance: Training should be provided that is appropriate to the newly assigned duties.

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## Chapter 8 – Patrol

### Section 8.1 - Administration

#### 8.1.1 Continuous Patrol Coverage: [M]

The agency provides a response to emergency calls for service 24/7 by sworn personnel who hold a certification issued in accordance with the Kansas Law Enforcement Training Act.

Guidance: This standard does not require 24-hour patrol, the intent of the standard is to ensure that qualified personnel is available to respond to calls for service or, at a minimum, includes provisions for concurrent jurisdictional coverage in the event the agency cannot provide 24-hour coverage.

#### 8.1.2 Agency Animals: [M] [TRG]

If the agency has agency-owned or controlled animals, a written directive establishes at a minimum the following *procedures*:

- a. Authorization required for their use;
- b. Statement of objectives, conditions, and limitations for use of the animal;
- c. Qualifications and **training** for personnel **assigned** as the **controller/handler**;
- d. Designation of the position responsible for 24-hour care of the animal; and
- e. Provisions for the collection and retention of deployment data.

Guidance: Specific procedures should be established for each applicable use of police canines, including searching for and apprehending suspects, searches for missing persons, narcotics/explosive detection, comfort/therapy use, or any other purpose designed by the agency. All training should be conducted by a certified trainer.

### Section 8.2 - Operations

#### 8.2.1 Responding Procedures: [M]

A written directive governs *procedures* for police response to calls for service that includes at a minimum:

- a. Defining emergency and non-emergency calls;
- b. Prioritization of police responses by call type; and
- c. Use of authorized emergency equipment.

Guidance: The intent of this standard is to provide procedures for responding to calls for service while ensuring agency responses conform to state law. It is important that agencies classify responses for service according to the seriousness of the call thus providing guidance on the method of response necessary and the use of lights and sirens.





## 8.2.2 Motor Vehicle Pursuits: [M] [TS] [DT]

A written directive establishes *procedures* for the pursuit of motor vehicles to include at a minimum:

- a. Evaluation of circumstances;
- b. Criteria under which a pursuit can be initiated;
- c. Responsibilities of initiating unit;
- d. Responsibilities of the secondary unit;
- e. Responsibilities of communication center personnel;
- f. Responsibilities of supervisory personnel;
- g. Specifying when a pursuit should be terminated;
- h. Designating authority to terminate pursuits;
- i. Forced stopping and roadblocks;
- j. Inter- and Intra-jurisdictional pursuits;
- k. Requirement for a written report and an **Administrative Review** of each agency pursuit; and
- l. Requirement to conduct an **Annual Analysis** to include a review of policy and reporting procedures.

Guidance: Vehicle pursuits pose a high risk for officers, the agency, and the community. It is critical the agency has clear policies and procedures for pursuits. If the agency prohibits pursuits, a written directive shall establish that. The agency must balance the necessity for the pursuit and the apprehension of the suspect against the possibility of injury or death to those involved as well as innocent bystanders. The threat of property damage should also be considered.

Agencies utilizing a regional communications center must still comply with Bullet E. The regional communication center's policy/procedures relating to pursuits may satisfy this requirement. Agencies should refer to Addendum A – Program Glossary for a definition of Inter- and Intra-jurisdictional pursuits.

The directive should specify the types of roadblocks or forcible stopping techniques authorized for use, e.g., moving, fixed, circle system, roadway barriers, road spikes, pursuit interruption techniques, as well as the circumstances justifying their use.

The analysis may reveal patterns or trends that indicate training needs, policy modification, and/or the need for additional equipment. The absence of any pursuit reports does not remove the requirement for the annual analysis to review policy and reporting procedures.





## 8.2.3 Missing Adults and/or Juveniles: [M]

A written directive provides *procedures* for reporting and investigating missing persons, who meet the criteria and are reported missing from their jurisdiction, the directive includes at a minimum;

- a. Entering missing persons or runaways into the National Crime Information Center (NCIC) system as soon as possible after a report has been filed;
- b. Criteria for activation of alert systems or other public notification;
- c. Responding officers' responsibilities;
- d. Communication center responsibilities; and
- e. Alert termination process to include clearing NCIC entries.

Guidance: Written procedures should address gathering information and evaluating the situation in order to ensure an appropriate agency response. Responsibility for follow-up and canceling the report should also be assigned.

Agencies should ensure that they include the use of statewide AMBER Alerts in their procedures. The National Child Search Assistance Act of 1990 mandates law enforcement's immediate response to reports of missing children, and the prompt entry of descriptive information into the NCIC missing person file.

Agencies may refer to K.S.A 75-712c, K.S.A. 75-712b, and K.S.A. 75-712.

## 8.2.4 Interactions with Mentally Ill Persons: [M]

A written directive governing the interaction of agency personnel with a person suffering, or suspected to be suffering, from mental illness includes:

- a. Guidelines for recognizing indicators of mental illness;
- b. Guidelines for dealing with a person suffering from mental illness during street contacts, interviews, and interrogations; and
- c. Accessing available mental health resources.

Guidance: The intent of this standard is to provide guidance to agency personnel in their dealings with a person suspected or known to be suffering from mental illness. Alternatives to arrest should be considered to ensure the best treatment options are used and if possible keep those with mental health issues out of the criminal justice system.





## Section 8.3 - Equipment

### 8.3.1 Emergency Lights and Siren: [M] [OBS]

A written directive specifies that vehicles routinely used in police patrol services, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and a siren in accordance with state law.

Guidance: Conspicuously marked patrol vehicles are easily identified as police vehicles from every view even at night. It is also recommended that patrol vehicles be equipped with a PA system, exterior spotlights, and alley lights.

Agencies may refer to K.S.A. 8-1720, and K.S.A. 8-1738.

### 8.3.2 Vehicle Equipment: [M]

A written directive specifying the equipment to be included in every patrol vehicle based on the use and purpose of the vehicle. The directive shall establish a system to ensure the replacement or replenishment of supplies as needed to maintain operational readiness.

Guidance: It is the responsibility of the agency to take reasonable measures to assist its personnel to perform their duties in a safe and effective manner with protective clothing such as latex gloves, eye protection, and protective shoe covers to minimize exposure to infectious materials and objects.

Inspection regimes should be documented. Check-off lists or inspection forms can aid patrol personnel and supervisors with ensuring the vehicles are properly stocked, as well as proving compliance with this standard.

### 8.3.3 Safety Restraining Devices: [M]

A written directive requires the use of occupant safety restraint devices in every agency vehicle for employees, passengers, including prisoners, in accordance with state law.

Guidance: The written directive should require the use of occupant safety restraining devices, including the use of child-safety restraints as applicable.

Agencies may refer to K.S.A. 8-2503.

### 8.3.4 Body Armor: [M]

The agency makes available body armor for all sworn personnel and an agency written directive establishes guidelines at a minimum for the wearing:

- a. When engaged in uniform field duties; and
- b. Pre-planned, high-risk situations.

Guidance: The wearing of body armor by officers assigned to field duty is strongly recommended since it is an officer safety issue. This standard does not preclude an agency from placing exterior armor in each of its cars for use.





### 8.3.5 Mobile Data Terminal Use: [M]

If the agency uses computerized mobile data terminals (MDTs) or other similar technologies, a written directive establishes *procedures* for use, to include:

- a. The expectation of privacy by users;
- b. General use and restrictions including while operating a motor vehicle;
- c. Equipment malfunctions; and
- d. A requirement that operators of mobile data terminals or other similar technologies are authorized users for accessing KCJIS sensitive material.

Guidance: The intent of this standard is for agencies to develop procedures for access to the agency's computer system and confidential information. For the purpose of this standard, devices include any device through which CAD or KCJIS information is transmitted.

### 8.3.6 Audio/Video Recording Devices: [M] [EO] [TRG]

If the agency uses in-car and/or body-worn cameras, a written directive includes:

- a. Member's responsibility;
- b. Requirements and restrictions for activation and deactivation of the device;
- c. Criminal and administrative use of captured data;
- d. Data storage and retention requirements;
- e. Requirements for recorded video access and review;
- f. Supervisory responsibilities; and
- g. **Initial training** requirements.

Guidance: Agency consideration must include the awareness of and compliance with applicable public records law, including Freedom of Information Act provisions in effect in the agency's jurisdiction. When such recordings have evidential value, they should be handled in accordance with other agency evidentiary items.





### 8.3.7 Domestic Violence: [M] [KSA] [TRG]

As required by K.S.A. 22-2307, the agency has a written directive establishing *procedures* for handling domestic violence calls for service or incidents in compliance with applicable Kansas law. Minimally, the written directive shall include:

- a. Outlining arrest criteria and *procedures*;
- b. Defining requirements for determining the predominant physical aggressor;
- c. A definition of domestic violence in accordance with Kansas law;
- d. Establishment of dispatcher responsibilities;
- e. Officers' responsibilities and *procedures* when responding;
- f. *Procedures* for misdemeanor and felony cases;
- g. *Procedures* for officers to follow when handling domestic violence calls involving court orders, including Protection from Abuse Orders, Restraining Orders, and a Protective Order issued by a court of any State or Indian Tribe;
- h. *Procedures* for handling of domestic violence incidents involving law enforcement officers;
- i. *Procedures* for providing required information to victims in writing;
- j. Documented reporting requirements whether an arrest is made or not;
- k. Report submission requirements to the Kansas Bureau of Investigation; and
- l. A requirement that sworn agency personnel receive **initial training** on the agency's domestic violence policies and **in-service training at least once every four years**.

Guidance: In-service training can be in the form of classroom, shift briefing, computer-based training, bulletins, or any combination of methods as determined by the agency.

For assistance with policy development agencies are encouraged to refer to [KSCPOST Policy 102 – Domestic Violence](#), K.S.A. 21-5111, K.S.A. 21-5414, K.S.A. 74-7333, K.S.A. 74-7335, and K.S.A. 21-5924.

This standard is a summary of K.S.A. 22-2307. Agencies must refer to K.S.A. 22-2307 for a complete description of written directive requirements.





### 8.3.8 Submission of Sexual Assault Kits for Testing: [M] [KSA]

As required by K.S.A. 22-4621, the agency has a written directive establishing *procedures* regarding submission of sexual assault kits in compliance with applicable Kansas law. Minimally the written directive shall include:

- a. A requirement that the agency shall collaborate with the County or District Attorneys in their appropriate jurisdiction regarding the contents of their written directive and procedures;
- b. *Procedures* to ensure all sexual assault kits that correspond to a law enforcement report of sexual assault are submitted to a laboratory for analysis within 30 business days from the collection of the kit for examination; and
- c. *Procedures* that ensure the examination results are received by the investigating officer upon the completion of the examination.

Guidance: For assistance in policy development agencies are encouraged to refer to [KCCPOST Policy 203-Sexual Assault Evidence Collection Kit, Submission, Retention, and Disposal](#).

This standard is a summary of K.S.A. 22-4621. Agencies must refer to K.S.A. 22-4621 for a complete description of written directive requirements.

### 8.3.9 Stalking: [M] [KSA]

As required by K.S.A. 22-2310, the agency has a written directive establishing *procedures* regarding the agency's responds to allegations of stalking in accordance with applicable Kansas law. Minimally, the written directive shall include:

- a. Outlining arrest criteria and procedures;
- b. A definition of stalking in accordance with Kansas law;
- c. Establishment of dispatcher responsibilities;
- d. Officers' responsibilities and *procedures* when responding;
- e. *Procedures* for misdemeanor and felony cases;
- f. *Procedures* for officers to follow when handling allegations of stalking, including allegations involving Court Orders and Protective Orders;
- g. *Procedures* for providing required information to victims in writing;
- h. Documented reporting requirements whether an arrest is made or not; and
- i. Report submission requirements to the Kansas Bureau of Investigation.

Guidance: For assistance in policy development agencies are encouraged to refer to [KSCPOST Policy 103 - Stalking](#), and K.S.A. 21-5427.

This standard is a summary of K.S.A. 22-2310. Agencies must refer to K.S.A. 22-2310 for a complete description of written directive requirements.







## Chapter 9 – Criminal Investigations

### *Section 9.1 - Administration*

#### **9.1.1 Case Management System: [M]**

The agency's criminal investigation function utilizes a case management system for screening and assigning incident reports for follow-up investigations.

Guidance: A system for case status control should be established to specify information at a minimum that should be recorded for each case, such as Investigator/Detective assigned; date assigned, case number, due date, and case status.

#### **9.1.2 Conducting Preliminary and Follow-Up Investigations: [M]**

A written directive establishes guidelines for conducting preliminary and follow-up criminal investigations.

Guidance: A written directive should define which function of the agency is to accomplish the preliminary and/or follow-up investigation for various categories of reported incidents.

Steps to be followed in conducting preliminary investigations may include: (1) Documenting pertinent conditions, events, and remarks; (2) Maintaining and protecting the crime scene; (3) Arranging for the collection of evidence; (4) Locating, identifying, and interviewing victims; (5) Locating, identifying, and interviewing witnesses; and (6) Locating, identifying, and interviewing suspects.

Steps to be followed while conducting follow-up investigations may include: (1) Reviewing preliminary investigation reports; (2) Conducting additional interviews or interrogations; (3) Collecting/preserving physical evidence; (4) Identifying/apprehending suspects; and (5) Preparing case files.





## Section 9.2 - Operations

### 9.2.1 Informants: [M]

If the agency utilizes informants, a written directive establishes *procedures* for the use of those informants, to include:

- a. Inclusion of informants in a secure master file that protects the identity of the informant;
- b. Content of the informant file;
- c. Maintenance and security of informant file and related codes;
- d. Other methods to protect the identify of informants;
- e. Criteria for paying informants, if applicable;
- f. General precautions to be taken with informants;
- g. Special precautions to be taken with juvenile informants or informants of the opposite sex; and
- h. Use of informants by patrol officers, if applicable.

Guidance: The use of informants is important to the satisfactory completion of many investigations, including patrol-related invitations; drug, vice, and organized crime and control functions, as well as intelligence functions. Procedures shall be established to provide for this resource within a controlled system to avoid abuse.

A master file on informants should be maintained with strict guidelines on access. Informant files should contain information on the informant including their background, a record of transactions, and code information used in all transactions with each informant.

All cash funds maintained and used for informants must comply with 2.7.1 Cash Account Maintenance.





## 9.2.2 Eyewitness Identification: [M] [KSA]

As required by K.S.A. 22-4619, the agency has a written directive establishing *procedures* to be employed when a citizen is asked to identify a person in the context of a criminal investigation. Minimally, the written directive shall include:

- a. A requirement that the agency shall collaborate with the County or District Attorneys in their appropriate jurisdiction regarding their written directive for eyewitness identification procedures;
- b. Use of blind and blinded *procedures*;
- c. Using video and/or audio recordings;
- d. Instructions to be given to the witness prior to viewing the line-up including that the perpetrator may or may not be present;
- e. Use of non-suspect fillers who are reasonably similar to the perpetrator and do not make the suspect stand out;
- f. Prohibiting feedback by the administrator;
- g. After an identification is made by the witness, eliciting a confidence statement, in the witness's own words, regarding the level of certainty in the selection; and
- h. Documenting the results.

Guidance: For assistance in policy development agencies are encouraged to refer to [KSCPOST Policy 204-Eyewitness Identification](#), and K.S.A. 22-4619.

This standard is a summary of K.S.A. 22-4619. Agencies must refer to K.S.A. 22-4619 for a complete description of written directive requirements.





## Chapter 10 – Juvenile Operations

### Section 10.1 - Operations

#### 10.1.1 Handling Juvenile Offenders: [M]

A written directive requires officers dealing with juvenile offenders to use the least coercive among reasonable legal alternatives and includes, at a minimum, provisions for the following:

- a. Outright release to parent/guardian, or another accountable adult, with no further action;
- b. Conditions and *procedures* for issuing written citations and summonses to juvenile offenders in lieu of taking them into custody; and
- c. Conditions for referral to another agency or service provider for potential diversion alternatives.

Guidance: Law enforcement agencies have a wide range of alternative methods they may employ when dealing with juveniles, ranging from warnings to intake. The intent of this standard is to determine which categories of offenses can best be remedied by releasing the juvenile to the custody of their parent/guardian or if the juvenile should be referred to intake.

Agencies may refer to K.S.A. 38-2343, K.S.A. 38-2202, K.S.A. 38-2203, and K.S.A. 72-3120.

#### 10.1.2 Custody Procedures for Juveniles: [M]

A written directive provides *procedures* for taking a juvenile into custody, including at a minimum:

- a. Determining if the juvenile is alleged to have engaged in criminal or non-criminal behavior;
- b. Determining if the juvenile is alleged to have been harmed or is in danger of being harmed;
- c. When necessary advising the juvenile of his/her constitutional rights;
- d. Transport juvenile to the agency's assigned processing or detention facility without delay (unless there is a need for medical treatment); and
- e. Notification of parents or guardians.

Guidance: The intent of this standard is to provide guidance to agency personnel in making custodial decisions when dealing with juveniles. For the purpose of this standard, the term "taking into custody" encompasses the concept of protective custody of juveniles. Agency procedures should also specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody.

Agencies may refer to K.S.A. 38-2330, K.S.A. 38-2331, K.S.A. 21-5412, and K.S.A. 38-2313.





## 10.1.3 Interrogations and Interviews: [M]

A written directive governs *procedures* in the following situations:

- a. Non-custodial juvenile interviews;
- b. Custodial interrogation of juveniles;
- c. Confering with parents or guardians;
- d. Limiting the duration of the interview/interrogation; and
- e. Explaining agency and juvenile justice system procedures to juveniles being interrogated.

Guidance: The agency's written directive should adhere to procedural requirements established by legal authority congruent with the protection afforded by the juvenile's constitutional rights. In developing the directive, the agency should be aware that the voluntariness of the juvenile's confession will generally be the issue. In determining whether a confession is voluntary, the courts look to the totality of the circumstances which minimally includes a review of the following factors related to the juvenile defendant: 1) Age, intelligence, and educational background. 2) Mental capacity, including whether the defendant was nervous and the physical conditions in which the interview was conducted. 3) Whether the juvenile understood the interrogation process. 4) Length of confinement and duration of the interrogation. 5) Time of day of the interrogation. 6) Whether the juvenile asked for a parent to be present and if parents were notified.

## 10.1.4 Placement of Juveniles in Jails or Lockups: [M]

The agency has written *procedures* that:

- a. Prohibit the placement or detention of juveniles only accused of a status offense in jails or lockups;
- b. Require juveniles accused of a crime that are temporarily detained in a jail or lockup facility are kept separated by sight and sound from adults, and not held for more than 6 hours; and
- c. Allows the state department of corrections or the department's contractor to review records to determine compliance.

Guidance: The intent of this standard is to ensure compliance with K.S.A. 38-2332. Agencies should contact the Kansas Department of Corrections Compliance Monitor for technical assistance.





## Chapter 11 – Special Operations

### Section 11.1 - Critical Incidents

#### 11.1.1 Critical Incident Plan: [M]

The agency has written plans for responding to all types of critical incidents, including but not limited to:

- a. Natural and man-made disasters;
- b. Civil disturbances;
- c. Bomb threats;
- d. Hostage/barricaded person situations; and
- e. Other unusual incidents.

Guidance: The intent of this standard is to ensure the agency has current plans in place and is prepared to respond to any disaster immediately. The adoption of the municipal, county, regional or State Emergency Operations Plan and the National Incident Management Systems (NIMS) may meet compliance requirements with this standard.

#### 11.1.2 Active Threat Response Plan: [M]

The agency has a written directive that governs *procedures* for active threats incidents and minimally includes:

- a. Public awareness and safety notifications;
- b. Seeking additional public safety resources;
- c. First responder responsibilities; and
- d. Making incident containment a priority.

Guidance: The purpose of this standard is to direct agency personnel in determining the actions to be taken when responding to an active threat incident. The agency, along with other public safety agencies, should develop specific plans and actions for their response.





## *Section 11.2 - Hazardous Operations*

### **11.2.1 Hazardous Materials: [M] [TRG]**

The agency has written guidelines and **awareness level training** for officers responding to potentially hazardous material incidents.

Guidance: The purpose of this standard is to provide responding law enforcement officers the basic knowledge to recognize a hazardous situation and guidelines to follow in calling in assistance to handling the situation. The written directive should include basic self-protection measures for officers and others while protecting the incident scene and controlling access to the area. Agencies may choose resources such as the Emergency Response Guide Book or Material Safety Data Sheets (MSDS).

## *Section 11.3 - Training*

### **11.3.1 Critical Incident and Active Threat Training: [M] [TRG]**

A written directive provides for:

- a. Documented **annual training** on the agency's Critical Incident Plan; and
- b. Documented **annual training** on the agency's Active Threat Response Plan.

Guidance: With the increased possibility of acts of terrorism or active threat incidents all agencies must be prepared to quickly act to stabilize and control emergency situations with little or no notice. Immediate and decisive action is required to minimize loss of life. The agency may participate in joint emergency management and response training exercises as appropriate.

Department officers and supervisors will complete Incident Command System (ICS) and National Incident Management System (NIMS) training as required by state or federal guidelines.





## Chapter 12 – Traffic

### Section 12.1 - Enforcement

#### 12.1.1 Uniform Enforcement Action: [M] [DT]

A written directive governs uniformed *procedures* for taking enforcement action related to traffic law violations, to minimally include:

- a. Physical arrest;
- b. Notice to Appear, Citations; and
- c. Warnings.

Guidance: The written directive should establish procedures that ensure enforcement actions are commensurate with Kansas laws and address the degree and severity of the violation committed. Equal and uniform treatment of traffic law violators is critical in not only the public's perception of the agency but also in the agency's ability to properly prosecute a violation and to make sure all state and local requirements are met. Agencies should prohibit practices requiring officers to issue a predetermined number of citations, arrests, or summonses, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety.

Agencies may refer to K.S.A. 12-4212 (b), and K.S.A. 22-2401(d).

#### 12.1.2 Information Provided to Violator: [M]

A written directive guides officers' actions when stopping, approaching, and addressing traffic law violators, that minimally includes:

- a. Standardized verbal interactions with violators;
- b. Providing court appearance date, time, and location on all citations issued;
- c. Notifying violator whether a court appearance by the motorist is mandatory; and
- d. Notifying violator whether they may be allowed to enter a plea/and or pay the fine by mail.

Guidance: The written directive should provide guidance for a professional verbal standardized interaction with the violator. Such interaction should include: 1) Greeting the violator. 2) Identify themselves and the department. 3) Explain the reason for the stop. 3) Request the driver's license and proof of insurance.

Due to the fact that this is one of the most frequent types of contact made between law enforcement officers and the public, there are separate, but equally important issues that must be addressed. First, this is a stressful time for citizens. The courtesy and positive image that is shown by the officer will not only make this contact less confrontational but will also enhance the image of the officer and the agency. The second issue of safety must also be established in the written directive.







## 12.1.3 Uniformed Enforcement: [M]

A written directive governs uniformed traffic enforcement *procedures* to minimally include:

- a. Driving under the influence of alcohol/drugs;
- b. Driving while license is suspended or revoked;
- c. Moving and non-moving violations;
- d. Public carrier/commercial vehicle violations;
- e. Multiple violations;
- f. Newly enacted laws and/or regulations;
- g. Violations resulting in traffic collisions;
- h. Pedestrian and bicycle violations; and
- i. Voiding or dismissing traffic citations.

Guidance: The public has a right to consistent and fair treatment. The intent of this standard is to help the agency provide guidelines for uniform traffic law enforcement actions. Uniform enforcement supports the ultimate aim of traffic law enforcement, which is, to achieve voluntary compliance with traffic laws and regulations. The policy cannot and should not supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer must decide what enforcement action is proper based on a combination of training, experience, and common sense.

## 12.1.4 Alcohol/Drug Impaired Offenders: [M]

A written directive established *procedures* for handling persons suspected of or charged with driving while under the influence of alcohol or drugs.

Guidance: Procedures should include guidance with the use of chemical tests, Standard Field Sobriety Test (SFST), and/or Preliminary Breath Test (PBT). The agency may choose to state that warnings are not appropriate for DUIs. Other guidance by include implied consent advisory, intoxilyzer testing, recording of field tests, disposition of arrestee's vehicle, failure of a breath test, etc.

Agencies may refer to K.S.A. 8-1002, K.S.A. 8-2,128, K.S.A. 8-2,145, and, K.S.A. 8-1001.





## Section 12.2 - Collisions

### 12.2.1 Traffic Accident Reporting and Investigation: [M]

An agency written directive governs *procedures* and assigns responsibility for traffic accident reporting and investigating to include at least the following:

- a. Fatality or injury;
- b. Property damage;
- c. Hit and run;
- d. Impairment due to alcohol or drugs;
- e. Occurrences on private property; and
- f. Damage to agency owned vehicles.

Guidance: Methods should be formulated to guarantee that the agency has the ability to investigate and report accidents skillfully and promptly. The directive should differentiate between when only a report is required and when a detailed investigation is needed. The criteria for determining this should be included in the written directive.

## Section 12.3 - Direction and Control

### 12.3.1 Traffic Direction/Control: [M]

A written directive specified *procedures* for traffic direction and control that includes the requirement that personnel directing traffic, or in the roadway controlling traffic, wear reflective clothing at all times.

Guidance: The written directive procedures should cover issues such as 1) Periods of adverse road and weather conditions. 2) Circumstances warranting manual operation of traffic control devices. 3) The use of temporary traffic control devices (i.e. barricades, cones, etc.) 4) Using standardized hand signals that motorists will interpret correctly.

## Section 12.4 - Other Services

### 12.4.1 Towing and Impoundment: [M]

A written directive governs *procedures* for the following:

- a. Impoundment and seizure of vehicles;
- b. Handling abandoned vehicles;
- c. Towing or removing vehicles from public and private property; and
- d. Records to be maintained for all vehicles towed, removed, or stored.

Guidance: The directive should define the circumstances under which agency personnel may remove privately owned vehicles and when and how they are to be removed.

Agencies may refer to K.S.A. 8-1102, and K.S.A. 8-1103.





## Chapter 13 – Detainee Transportation

### Section 13.1 - Procedures

#### 13.1.1 Detainee Transport: [M]

A written directive governs *procedures* for the transportation of detainees and includes, but is not limited to:

- a. Requiring a search of all detainees prior to their being transported;
- b. Requiring an examination of the transport vehicle at the beginning of each shift and prior to and after transporting detainees;
- c. Seating arrangements in vehicles without safety barriers;
- d. Notification for security risk;
- e. Extended transportation (security during rest, meal, and refueling stops);
- f. Detainee identification confirmation;
- g. Restraints authorized and methods used during detainee transports; and
- h. Special requirements for sick, injured, disabled, or pregnant detainees.

Guidance: This standard is designed to address officer safety and ensure prisoner safety. Transport vehicles should be searched to ensure that no contraband, weapons, or other items are present. It should be assumed that a detainee had an opportunity to deposit such items since constant surveillance is usually not available. Provisions should be addressed for multiple prisoners and handcuffing to stationary objects.

#### 13.1.2 Detainee Escape: [M]

A written directive details the actions to be taken by the transporting officer following an escape of a detainee while being transported that includes at a minimum the following:

- a. Individuals to be notified;
- b. Preparation of required reports; and
- c. Any additional actions to be taken.

Guidance: The location and circumstances surrounding the escape may dictate if the prisoner should be pursued by the transporting officer. If the escape occurs in another jurisdiction, the authority of the escort officer to act in recovering the prisoner will depend upon the powers the transporting officer(s) have in that jurisdiction.





## Chapter 14 – Temporary Detention

### *Section 14.1 - Procedures*

#### **14.1.1 Designated Rooms or Areas: [M]**

If utilized, a written directive designates areas and specific rooms within the law enforcement agency used for detainee:

- a. Processing;
- b. Testing; and
- c. Temporary detention.

Guidance: This standard does not apply to detention or holding areas within court facilities or jails.

It may be necessary to use a room, space, or area within a law enforcement facility to separate persons under arrest, maintain control, complete reports and forms, conduct tests, wait for bonding, or help relieve a temporary booking backlog. When designating such rooms, consideration must be given to safety and security concerns to enhance the safety and security of detainees and department personnel.





## 14.1.2 Detention Procedures: [M]

If the agency utilizes designated rooms or areas for temporary detention, the agency has written *procedures* addressing the following at a minimum:

- a. Documentation requirements;
- b. Supervisor notification requirements;
- c. Securing and monitoring unattended detainees within locked spaces, if any;
- d. Restraining detainees to fixed objects, if authorized;
- e. Sight and sound separation by gender;
- f. Sight and sound separation of juveniles from adults;
- g. Weapons control;
- h. Emergency alarm activation and response;
- i. Escape prevention control measures;
- j. Face-to-face visual observation at least every thirty (30) minutes;
- k. Use of audio and/or video devices; and
- l. Detainee access to water, restrooms, and other needs.

Guidance: This standard does not apply to detention or holding areas within court facilities or jails. Documenting aspects of the temporary detention ensures legal mandates were met, helps confirm the agency actions were necessary, defensible, and protects the agency from claims that a detainee was denied due process. Sound, for the purpose of this standard, would constitute normal/loud conversations and does not include yelling or screaming, which should be monitored and controlled by those supervising the detainee. Restraining detainees to immovable objects should only be used when no other suitable method is available and only when the objects were designed and intended for such use. The use of portable radios with designated signals and distress will suffice for emergency alarm activation devices. Comfort items such as water and restroom are not required to be in the room, but the agency is responsible to ensure their availability in a timely manner.

## 14.1.3 Sanitation and Security Inspections: [M] [TS]

If temporary detention areas are utilized, a written directive requires documented **Sanitation and Security Inspections** be conducted.

Guidance: This standard does not apply to detention or holding areas within court facilities or jails. The frequency of the inspections will be determined by the agency.





## *Section 14.2 - Training*

### **14.2.1 Personnel Training: [M] [TRG]**

If temporary detention areas are utilized, any agency personnel who may monitor detainees are provided **initial training** on agency policy regarding the use of the temporary detention designated rooms and/or areas and **in-service training at least once every four years**.

Guidance: This standard does not apply to detention or holding areas within court facilities or jails. To reduce complacency, officer safety issues should be a priority of the agency's initial and in-service retraining sessions. Agency training should address the resources that are available to personnel during the temporary detention and contingencies for dealing with unruly or combative detainees.





## Chapter 15 – Lock-Up Facility

### Section 15.1 - Organization, Security, and Management

#### 15.1.1 Facility Management: [M]

A written directive governs the agency's lock-up facility management *procedures* for the following, at a minimum:

- a. Access of nonessential persons; and
- b. Housing outside detainees, if allowed.

Guidance: As defined in Addendum A – Program Glossary – A Lock-Up Facility for the purposes of Chapter 15 is defined as: A confinement facility outside of a jail where detainees are housed waiting to appear in court and/or sentenced prisoners. Detainees receive meals and can be detained for periods involving multiple days and overnight stays. A lock-up facility is not co-located with or operated as an integral part of a jail.

If nonessential persons are granted access to the lock-up facility, their presence should not violate a detainee's privacy or impede facility operations. All nonessential persons' access should be prohibited in emergency situations. A written directive governs procedures for housing outside detainees for other jurisdictions, and if allowed should include methods for positive identification.

#### 15.1.2 Facility Security: [M]

A written directive governs the agency's lock-up facility security *procedures* for the following at a minimum:

- a. Securing weapons;
- b. Key control;
- c. Security checks; and
- d. In the event of an escape.

Guidance: a) The agency should consider any other items such as knives, batons, chemical spray, etc., it may want to exclude from the lock-up facility environment when developing its written procedures. b) The key control system should provide accountability for the location and possessor of each key. A duplicate or a master key should be readily available in emergency situations. c) The written directive should require a security check, including searching for weapons, contraband, culinary equipment, and tools prior to and immediately after each use of a lock-up cell. d) The procedures to be followed if an escape occurs should be made known to all personnel. Procedures should include provisions for sounding alarms, notifications, alerting additional resources, and ending the alert.





### 15.1.3 Facility Organization: [M]

A written directive governs the agency's lock-up facility segregation *procedures* for the following at a minimum:

- a. Sight and sound separation of males, females, and/or juveniles, *if* applicable;
- b. Segregation methods for detainees under the influence of alcohol or drugs; and
- c. Segregation methods for detainees who are violent or self-destructive.

Guidance: a) The intent is to ensure the segregation of the three detainee types. Agencies may comply with the standard by developing procedure alternatives to avoid detaining males/females/juveniles in the same area. b) A written directive should prescribe methods for handling, detaining, and segregating persons under the influence of alcohol or drugs. c) A written directive should prescribe methods for handling detainees who are violent or self-destructive. Such detainees should remain under close observation by lock-up staff.

## Section 15.2 - Conditions

### 15.2.1 Minimum Condition Requirements: [M] [OBS]

A written directive established the following minimum conditions to be maintained in the agency's lock-up facility:

- a. Adequate lighting as required by local code or ordinances;
- b. Circulation of fresh or purified air in accordance with local public health standards;
- c. Access to toilet and drinking water;
- d. Access to a wash basin or shower for detainees held in excess of eight hours; and
- e. A bed for each detainee held in excess of eight hours.

Guidance: Sufficient air, lighting, and sanitary facilities are essential to the health of detainees. Bedding issued to detainees held overnight should be clean, sanitary, and fire retardant. The written directive may provide for exceptions for detainees who are deemed suicidal.

### 15.2.2 Exceeding Maximum Capacity: [M]

A written directive prescribes space arrangements and *procedures* to follow when arrests exceed the maximum capacity of the agency's lock-up facility.

Guidance: The directive should address such matters as provision for extra personnel, additional physical facilities, and booking and detention procedures.







## Section 15.3 - Inspections

### 15.3.1 System Inspections: [M] [TS]

A written directive governs the agency's lock-up facility has an automatic fire alarm, heat and smoke detection system, which has been approved in writing by state or local fire officials, and prescribes fire prevention practices and *procedures*, to include at a minimum:

- a. **Weekly** documented visual **inspection** of fire equipment;
- b. **Semi-annual** documented **testing** of fire equipment;
- c. **Daily** documented visual **inspections** of automatic fire detection devices; and
- d. Documented **testing** of the automatic fire detection devices and alarm systems **as required by local fire code**.

Guidance: The weekly and daily documented visual inspections can be documented using a simple checklist. All fire detection and suppression systems should comply with the requirements of state code applicable to the facility. The agency's written procedures should establish a regular schedule for testing.

### 15.3.2 Weekly Inspections: [M] [TS]

A written directive governs the agency's lock-up facility *procedures* for conducting and documenting **weekly inspections** of the following, at a minimum:

- a. **First aid kits** located in the lock-up facility and replenished as necessary;
- b. **Sanitation** of the facility which specifies *procedures* for control of vermin and pests;
- c. **Security inspections** of the facility including searching for weapons and contraband;
- d. Results of weekly inspections are submitted in writing to the CLEO or designee;
- e. Documentation of replacement or repair of defective security equipment is maintained by the CLEO or designee; and
- f. Documentation of any mitigation required for vermin and pests is maintained by the CLEO or designee.

Guidance: First aid equipment available to facility personnel should provide the capability for proper response to a broad range of anticipated emergencies.

Any condition conducive to harboring or breeding insects, rodents, or other vermin should be eliminated. If necessary, pest control professionals should be used to clean or fumigate the facility.

At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering. Inspections should include occupied and unoccupied cells. All holding areas and other areas to which detainees have access should be searched for weapons and contraband.





## Section 15.4 - Emergency Situations

### 15.4.1 Emergency Situations: [M] [OBS]

A written directive provides that in the event of an emergency in the agency's lock-up facility personnel have access to "alert" or "panic alarm" systems or a means of two-way communication, which also provides a means to alert a "designated control point."

Guidance: The intent of this standard is to protect the safety of officers and detainees by ensuring agency personnel have the means to alert others of an emergency. This may be accomplished by audio-visual monitoring, "panic" alarms, or some combination of these methods. The agency might consider placing access to "panic" alarms, near the bottom portion of walls in the event an officer is down and cannot reach a normally situated "panic" alarm located higher on the wall. Detainees also can use the system to advise staff of emergency needs.

### 15.4.2 Evacuation Plan Posted: [M] [OBS]

There is a written and posted emergency evacuation plan for the agency's lock-up facility and a designated and signed emergency exit directing evacuation of detainees and staff to hazard-free areas.

Guidance: Emergency exits should be marked in accordance with local fire code requirements. If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of detainees. The plan also should include provisions for first aid and hospital transportation.

## Section 15.5 - Processing

### 15.5.1 Detainee Searches: [M]

A written directive establishes the following the agency's lock-up facility *procedures* for maintaining control of detainee's property, and at a minimum includes;

- a. An inventory search of the detainee at the time of booking and prior to entry into the agency's lock-up facility;
- b. An itemized inventory of property taken from the detainee;
- c. Secure storage of property taken from the detainee; and
- d. Return of property upon release of detainee.

Guidance: The written directive should precisely identify the types and scope of searches to be conducted and coincide with the requirements of Standard 1.2.5 Strip and Body Cavity Searches. The directive should ensure that all detainees' property is accounted for at the time it is taken under the agency's control and/or returned to the detainee or to court/transport personnel. The directive should require a written inventory signed by the agency employee performing the inventory, the detainee, and a witness, if possible. If the detainee refuses to sign an inventory, the refusal and reasons, if any, should be noted.





## 15.5.2 Intake Forms: [M]

A written directive requires that an intake form is completed for every detainee booked into the agency's lock-up facility and contains at a minimum the following information:

- a. Arrest information; and
- b. Property inventory and disposition.

Guidance: Intake information enhances the ability of the facility personnel to promote conditions that contribute positively to the health and security of each detainee, to the safety of others, to the security of the property, and to the positive identification of each detainee.

## 15.5.3 Detainee Records: [M]

A written directive describes the agency's lock-up facility *procedures* for safeguarding detainee records from unauthorized disclosure.

Guidance: The agency should establish procedures to limit access to detainee records in accordance with federal and state statutes.

### *Section 15.6 - Medical and Health Care*

## 15.6.1 Screening Information: [M]

A written directive requires that the following information, at a minimum, is recorded at the time of admission to the agency's lock-up facility:

- a. Suicide risk assessment;
- b. Information concerning the detainee's health conditions;
- c. Any medications taken or needed;
- d. A visual screen for body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.; and
- e. An assessment of apparent physical and mental conditions.

Guidance: Agency personnel should observe and briefly interview detainees. In particular, the agency should attempt to detect obvious indications of suicide risk, and intoxication and note any existing injuries a detainee has upon admission to the lock-up facility. Any noted existing injuries, body deformities, trauma markings, bruises, lesions, jaundice, etc. should be photographed/video recorded at the time of in-take to protect officers and the agency from accusations of wrongdoing during detention. A checklist/ fill-in form completed for each detainee would suffice for compliance with this standard.





## 5.6.2 Medical Assistance: [M]

A written directive identifies *procedures* to be followed when a detainee in the agency's lock-up facility needs medical assistance and *procedures* for gaining access to medical services are posted in areas used by detainees, in the language(s) prevalent to the area.

Guidance: The intent of this standard is to ensure that staff recognize, take immediate action on, and report all detainee medical needs. At least one on-duty person should be certified in first aid.

## 15.6.3 Medication Dispensing: [M] [TRG]

A written directive governs the agency's lock-up facility *procedures* for control, distribution, and documentation of pharmaceuticals and over-the-counter medications and includes at a minimum the following:

- a. **Dispensing** of any **medications** will be done by only **appropriately trained non-healthcare personnel** if dispensing by a healthcare professional is impracticable;
- b. Scheduled times for dispensing of medications;
- c. Receiving medications;
- d. Recording keeping requirements;
- e. Recording detainee's refusal to take prescribed medications; and
- f. Secure storage of medications.

Guidance: Agency should refer to the ASHP Guidelines on Pharmacy Services in Correctional Facilities for further guidance. Procedures should be in place to verify detainee medication and the dosage limits and requirements. If prescription medications may be received from family members, regulations should be established for accepting these medications.

## Section 15.7 - Detainee Rights

### 15.7.1 Detainee Rights: [M]

A written directive governs the agency's lock-up facility *procedures* regarding a detainee's rights that includes at a minimum the following:

- a. Timely court appearance;
- b. Opportunity to make bail;
- c. Confidential access to attorneys;
- d. Access to telephone;
- e. Alerting detainee about monitored or recorded telephone conversations; and
- f. Provisions for three meals during each 24-hour period to all detainees.

Guidance: None.





## 15.7.2 Receiving Mail/Packages: [M]

If detainees in the agency's lock-up facility are allowed to receive mail, personal property, or packages while detained, a written directive regulates *procedures*, to minimally include:

- a. Accepting and inspecting items;
- b. Listing items that are not authorized;
- c. Recording received items in the detainee's property record;
- d. Distribution to the detainee; and
- e. Positive identification of the person delivering such mail, personal property, or packages.

Guidance: Lock-up facilities are generally not prepared to deal with the problems and hazards associated with receiving property on behalf of a detainee in their custody. To avoid problems, agencies may wish to prohibit all deliveries to detainees until they are released or transferred to a long-term correctional institution.

If allowed, cash, checks, or money orders received from incoming mail or visitors should be carefully inspected, duly receipted, added to the detainee's property inventory report, and housed with the detainee's other property. All items received should be carefully inspected for weapons, contraband, or threats to the security of the lock-up facility.

## 15.7.3 Visitation: [M]

If the agency allows visitors for detainees being held in the lock-up facility a written directive governs *procedures* to be followed.

Guidance: Lock-up facilities are generally not equipped to handle visitors. Visitation should be discouraged until detainees arrive at the appropriate correctional institution where visitations can be appropriately managed.

Lock-up facility security is paramount. All contact with a detainee should be closely monitored and controlled to avoid the transfer of weapons or contraband. In exceptional situations, where a detainee should meet with a visitor, such as an attorney, the detainee should be removed from the lock-up facility and brought to another location for the meeting.

The detainee should be carefully searched before leaving and upon reentering the lock-up facility. Each visitor should be required to register their name, address, and relationship to the detainee upon entry. Generally, all visitors, and their belongings, coming into direct contact with detainees should be searched.





## Section 15.8 - Supervision

### 15.8.1 Continuous Supervision: [M]

A written directive provides continuous supervision guidelines for the agency's lock-up facility and at a minimum, addresses the following:

- a. 24-hour monitoring of detainees by agency personnel;
- b. A face-to-face count of the detainee population at least once every 8 hours;
- c. *Procedures* to ensure detainees are visually observed by agency personnel at least every 30 minutes; and
- d. *If* audio and/or visual electronic surveillance equipment is used the equipment will be controlled to reduce the possibility of invading a detainee's personal privacy.

Guidance: Twenty-four-hour supervision is essential for maintaining security and ensuring the safety and welfare of detainees. Supervision, as used in this standard, assumes agency staff is present in the same building that houses the lock-up facility and not at a remote location. One intention of this standard is to prohibit delegating supervision to a trustee. In addition to a count of the detainee population at least once every eight hours, other counts may be necessary prior to and following certain activities, such as night lockdown, recreation, and meals.

Care should be taken during physical checks so that the detainee does not anticipate the appearance of agency personnel. Detainees who are a security risks should be under closer surveillance and require more frequent observation. This classification includes not only detainees who are violent but also those who are suicidal or mentally ill or demonstrate unusual or bizarre behavior. Agencies are encouraged, but not required, to introduce direct physical checks whenever possible, but detainees may be observed through audio-visual means.

Electronic surveillance devices, such as television cameras and listening devices should be used primarily at critical locations of movement in the facility. They should not be used in such a way that they violate the personal privacy of detainees. Exceptions may be made, and they should be noted in the directive.

### 15.8.2 Supervision of Opposite Sex Detainees: [M]

A written directive governs agency lock-up facility *procedures* to be followed for supervision of detainees of a gender opposite of the supervising personnel.

Guidance: It is tremendously difficult for lock-up staff to supervise detainees of the opposite sex therefore specific procedures should be followed and, if possible, have all contact monitored by another staff member.





## *Section 15.9 - Training*

### **15.9.1 Training Personnel: [M] [TRG]**

A written directive governs the training of agency personnel on the agency's lock-up facility and addresses at a minimum the following:

- a. **Initial training** on the operation of the lock-up facility;
- b. **Initial training** on the fire suppression system;
- c. **Initial training** on the use of equipment provided or used in the operation of the lock-up facility; and
- d. **In-Service training** at least once **every four years**.

Guidance: Types and levels of training may vary with the nature of assignments and responsibilities. Personnel who work in direct contact with detainees require special training, including the use of physical restraint, to ensure the safety and security of staff and detainees. Personnel who do not work in direct contact with detainees may receive orientation-related training on the operation of the lock-up facility and their role if any.

Fire suppression may include evacuation plans, smoke and fire detectors, fire extinguishers, fire hoses, and air packs.





## Chapter 16 – Public Information

### Section 16.1 - Administration

#### 16.1.1 Public Information: [O]

A written directive provides guidelines to address the release of public information to the news media.

Guidance: The agency should clearly identify who is authorized to release public information and what types of information the agency authorizes to be released. The written directive may also address the various methods the agency may use to release the information. (i.e. website, social media, etc.)

#### 16.1.2 News Media Access: [M]

The agency has a written directive describing media access to incidents or locations where the media's presence may interfere with law enforcement or other public safety response operations.

Guidance: The agency should communicate its policy to local media to ensure their cooperation.

#### 16.1.3 Transparency in Policing: [M] [TS]

The agency prepares a **Departmental Annual Report** that is available to the public and includes agency statistics and activities.

Guidance: One of the keys to the development of positive relations between the police and the community is the creation of a culture of openness and transparency in policing. It also provides a greater measure of accountability for the agency. The annual report may include: 1) Agency Mission Statement. 2) Agency Goals and Objectives. 3) Agency activities. 4) Philanthropic efforts; if any. 5) Departmental Organizational Chart. 6) Crime statistics. 7) Use of Force statistics. 8) Vehicle Pursuit statistics. 9) Traffic Enforcement and Crash statistics. 10) Summary of Internal Affairs Investigations.

Ideally, agencies should consider making the annual report available via the agency's website.







## 16.1.4 Data Collection and Submission: [M] [TS] [EO]

The agency has a written directive outlining *procedures* for data collection and submission. The agency must be submitting, or actively working towards their ability to submit, to the following data collection efforts:

- a. **Officer suicides, submission** to the FBI's Law Enforcement Suicide Data Collection;
- b. **Officer misconduct, submission** National Law Enforcement Accountability Database (when operational);
- c. **Use of force, submission** to the FBI's National Use of Force Data Collection;
- d. **Officers killed and assaulted, submission** to the FBI's Law Enforcement Officers Killed and Assaulted Data Collection;
- e. **Crime incidents, including hate crimes, submission** to the FBI's National Incident-Based Reporting System; and
- f. **Deaths in custody, submission** to the Office of Justice Program's Deaths in Custody Reporting Act Data Collection, through the relevant State Administrative Agency.

Guidance: Law Enforcement Suicide Data Collection (LESDC) Act aims to help agencies better understand and prevent suicides among current and former law enforcement officer. The collection opened for data submission January 1, 2022.

The National Law Enforcement Accountability Database (NLEAD) is a centralized repository of official records documenting instances of misconduct, commendations, and awards for law enforcement officers.

The FBI created the National Use of Force Data Collection in 2015, in partnership with law enforcement agencies, to provide nationwide statistics on law enforcement use-of-force incidents. Agencies can access the National Use-of-Force Data Collection via a web application in the FBI's Law Enforcement Enterprise Portal (LEEP). Which allows agencies to report incidents electronically, either individually or by bulk submission.

The FBI publishes Law Enforcement Officers Killed and Assaulted (LEOKA) each year to provide information about officers who were killed, feloniously or accidentally, and officers who were assaulted while performing their duties. The FBI collects these data through the Uniform Crime Reporting (UCR) Program.

The FBI's National Incident-Based Reporting System (NIBRS) is a crime data reporting system that captures more detailed information for each single crime occurrence than the traditional Summary Reporting System. It was created to improve the quantity and quality of crime data collected by law enforcement. NIBRS captures details on each single crime incident, including information on victims, known offenders, relationships between victims and offenders, arrestees, and property involved in crimes. As of January 1, 2021, NIBRS became the national standard for law enforcement crime data reporting in the United States.

The Bureau of Justice Statistics (BJS) created the Federal Deaths in Custody Reporting Program (FDCRP) to collect the data required of federal law enforcement agencies. Federal law enforcement agencies are surveyed on an annual basis about deaths that fall under the scope of DCRA.





## Chapter 17 – Victim/Witness Assistance

### Section 17.1 - Operations

#### 17.1.1 Victim/Witness Assistance: [O]

A written directive describes the agency's role in victim/witness assistance.

Guidance: Relationships with outside sources of victim/witness assistance services help with agency referrals and keep the agency up-to-date on services available.

Agencies may refer to K.S.A. 74-7333, K.S.A. 74-7301, and K.S.A. 74-7305.

#### 17.1.2 Victim/Witness Follow-Up: [M]

A written directive defines within seven days after the initial contact between the victim of a reported crime and the law enforcement agency investigating the crime, such agency shall notify the victim compensation coordinator of the report of the crime and the name and address of the victim(s). Additionally, the agency shall provide the following information to the victim:

- a. The availability of emergency and medical services numbers, if needed;
- b. The police report number, in writing;
- c. The address and telephone number of the prosecutor's office that the victim should contact to obtain information about the victim's rights;
- d. The name, address, and telephone number of the local victim compensation board and information about victim compensation benefits, if any local board has been appointed in the agency's county;
- e. Advise the victim that the details of the crime may be made public; and
- f. Advise the victim of such victim's rights under the law.

Guidance: The law enforcement agency may adopt any procedure to transmit such information which substantially complies with provisions of this standard and K.S.A. 19-4808. Methods may include information posted on the agency's website, the development and dissemination of informational brochures, etc. The purpose of this standard is to ensure that the agency by way of written directives provides victims/witnesses the proper and mandated notifications, information, service, and assistance. Among the services that agencies should consider providing is the notification to of the victim/witness of the arrest, or release of the suspect from custody if possible.

In addition to K.S.A 19-4808 agencies may refer to K.S.A. 74-7333 and K.S.A. 74-7335.





### 17.1.3 Death/Injury Notifications: [M]

A written directive establishes *procedures* for notifying next-of-kin of deceased, seriously injured, or seriously ill person(s).

Guidance: Procedures should ensure notifications are carried out in a timely and considerate manner. If possible, assistance from department chaplains or clergy should be utilized. Agency procedures should also include notification requests received by other agencies.





## Chapter 18 – Communications

### Section 18.1 - Operations

#### 18.1.1 Shared or Multi-Jurisdictional Communications Center: [M]

If the communications function is provided by a shared or multi-jurisdictional entity, a memorandum of understanding or written contract shall be created to govern the authority and responsibility of both the agency and entity, and includes, minimally a requirement that compliance with all applicable standards for this function shall be met on behalf of the agency.

Guidance: When the communications function is shared or delegated to another entity, it is necessary to specific authority and responsibility of the entity and a requirement to and achieve compliance with applicable accreditation standards.

#### 18.1.2 Communications Function: [M] [OBS]

The agency's communication function complies with the following:

- a. Current Federal Communications Commission (FCC) license and immediate access to regulatory agency's current rules and regulations;
- b. Continuous two-way communication capability between Communication Center and officers on-duty;
- c. 24-hour, toll-free voice and TDD telephone access or equivalent system for emergency calls for service; and
- d. Multichannel mobile and/or portable radios capable of two-way operation on a joint public safety frequency or frequencies.

Guidance: To ensure that on-duty officers have the means for constant communication. In most situations, portable transceivers are required to enable officers on foot patrol and those away from their patrol vehicles to maintain contact with the communications center. Immediate communications capability provides a measure of safety and security to law enforcement officers.

The public should be able to contact the law enforcement agency at all times for information or assistance that may be needed in emergencies. Access to emergency services should be toll-free. Each emergency answering point for the agency should be equipped with a system capable of handling assistance calls from persons who are hearing impaired.

This communications capability among law enforcement and public service agencies, such as fire departments, ambulance services, public utilities, etc., is necessary to provide proper coordination and deployment of forces in times of emergencies. The capability may range from simple car-to-car arrangements to interagency and statewide networks.





### 18.1.3 Communication Capabilities: [M]

A written directive describes the agency's communication capabilities to include at a minimum:

- a. *Procedures* for obtaining and recording relevant information for each request for service; and
- b. The capability of immediate playback of all radio and incoming telephone calls.

Guidance: The procedures should encourage eliciting as much information as possible to enhance officer safety. Recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system. Access to secure recordings should be limited and available only through a specific procedural method.

### 18.1.4 Radio Communication: [M]

A written directive governs *procedures* for all radio and electronic communications with and between officers and the Communication Center personnel.

Guidance: The procedures should address 1) Specifications of the method and requiring communications by officers. 2) Recording of status when officers are out of service. 3) Methods to identify officers, i.e., unit number, beat number, etc. 4) Criteria for the assignment of the number of officers in response to an incident. 5) Calls that require the presence of a supervisor on scene. 6) Responding to an officer's emergency request for assistance.

### 18.1.5 Access to Information Systems: [M]

The Communication Center has access at a minimum to the Kansas Criminal Justice Information System (KCJIS) and the National Crime Information Center (NCIC).

Guidance: The effectiveness of investigative efforts depends heavily upon the quality of informational resources. If additional local, state, and federal criminal justice information systems exist, the communication function should have access to such systems.





## Section 18.2 - Security

### 18.2.1 Facility Security: [M] [OBS]

The Communication Center has security measures in place to include:

- a. Limited access to authorized personnel only; and
- b. Provision for backup resources.

Guidance: The capability to maintain communications in all emergency situations dictates that security measures be implemented to protect communications personnel, facilities, and equipment. Protective measures may include locating the Communication Center and equipment in areas providing maximum security, installing bullet resistant glass in areas of public access, and by restricting access to the Communications Center. Providing security for equipment may be done with a combination of security cameras, fences, or other measures based on the needs of the center, location of the equipment, and operational considerations.

To ensure the continuous communication with officers and the public's ability to reach the communication center via 911 in an emergency situation, backup provisions should be established in the event the Communications Center is non-operational. This may include sufficient dispatch consoles are present in the Communication Center to provide back-up in the event of individual console failure. Designation of an alternative Communication Center that may assume 911 operations in the event of total system failure.

This standard does NOT apply to generators.

### 18.2.2 Alternate Power Source: [M] [TS]

The agency's communication function (or its provider if not within the agency) maintains an alternate source of electrical power that is sufficient to ensure continued operations of emergency communications equipment in the event of the failure of the primary power source. The agency shall ensure:

- a. The operational readiness of the alternate source of power by **monthly** scheduled and documented **inspections and tests**, or in conformance with manufacturer recommendations; and
- b. Documented **annual test** operating the alternate power source under a full load.

Guidance: Ensuring continuous emergency communications capability through the use of an alternative power source is critical to the public safety communication function's mission. Its state of readiness should be ensured by testing the alternative power source on a reasonable basis (i.e., monthly) to help ensure the agency is prepared for any power interruption.





## Chapter 19 – Legal Process

### Section 19.1 - Recording

#### 19.1.1 Legal Process Document Recording: [M]

A written directive requires information regarding each item of legal process, civil and/or criminal, to be documented, and includes at a minimum the following:

- a. Date and time received by the agency;
- b. Type of legal process (civil or criminal);
- c. Nature of the document;
- d. Source of the document;
- e. Name of plaintiff/complaint, if applicable;
- f. Name of defendant/respondent, if applicable;
- g. Officer assigned for service;
- h. Date of assignment;
- i. Court document number, if required; and
- j. For subpoenas, the date service is due.

Guidance: Record entries may be cross-referenced so that the information can be retrieved by means of the court docket number and by the names of any of the parties to the action. In most instances, a unique number should be assigned to permit cross-reference of the return with the entry.

#### 19.1.2 Legal Process Service Recording: [M]

A written directive established *procedures* for records to be maintained on the execution or attempted service of all legal process documents, and minimally includes:

- a. Date and time service executed or attempted;
- b. Name of officer(s) executing or attempting service;
- c. Name of person on whom legal process was executed;
- d. Method of service executed or reason for non-service; and
- e. Address of service executed or attempted.

Guidance: None The agency's written directive should establish procedures for keeping a record of basic information for each execution or attempted execution of legal process documents.





### 19.1.3 Warrant/Wanted Person Files: [M]

A written directive establishes *procedures* for maintaining a warrant and wanted person's file, and includes at a minimum the following:

- a. Verifying information;
- b. Documenting information into agency files;
- c. 24-hour access to warrants;
- d. Establishing criteria for entering notices in regional, state, and federal information systems;
- e. Establishing criteria for information received from other jurisdictions; and
- f. Canceling information.

Guidance: Agency personnel should be able to check for active warrants, protective orders, and restraining orders placed on file with the agency on a 24-hour basis. Procedures should be established to ensure the agency enters and updates its own warrant information in compliance with State guidelines.

## Section 19.2 - Civil

### 19.2.1 Civil Process Service: [M]

If the agency serves civil documents, a written directive governs *procedures* for such service.

Guidance: The written directive should describe the responsibilities of the process servers including records of service and service attempts. The civil process includes eviction notices, small claims, and other civil subpoenas. The civil process does not include seizure process documents.

Agencies may refer to K.S.A. 19-812, K.S.A. 19-815, and K.S.A. 19-820.

## Section 19.3 - Criminal

### 19.3.1 Criminal Process Service: [M]

A written directive governs *procedures* for service of criminal process documents and specifies that only sworn officers may execute arrest warrants.

Guidance: The agency's written directives should govern procedures to be followed that include at a minimum: 1) the types of warrants to be executed, including search warrants. 2) Territorial limitations upon execution. 3) Time requirements for execution. 4) Statutory provisions for summoning aid. 5) The issuance of summons in lieu of arrests. 6) Statutory provisions respecting immunity from arrest.







## Chapter 20 – Central Record

### Section 20.1 - Administration and Operations

#### 20.1.1 Privacy and Security: [M]

A written directive establishes *procedures* for the privacy and security of agency records, paper and electronic, that includes at a minimum:

- a. Physical separation, or a method to distinguish, juvenile and adult arrest records;
- b. Collection, dissemination, and retention of fingerprints, photographs, and other forms of identification pertaining to juveniles;
- c. Physical security and controlled access of files; and
- d. The release of records.

Guidance: Records should be stored securely, with access limited to authorized personnel. Records should be transferred from the point of collection (for example, the booking area) to central records according to established procedures. Finally, only designated personnel should be authorized to release agency records or information.

Agencies may refer to The State of Kansas Open Records protocols, K.S.A. 38-2213, K.S.A. 38-2302, K.S.A. 38-2310, K.S.A. 38-2312, K.S.A. 38-2313, and K.S.A. 45-220.

#### 20.1.2 Record Retention Schedule: [O]

A written directive establishes guidelines for complying with the Kansas Records Retention Schedule concerning the retention and destruction of records.

Guidance: The intent of this standard is to ensure the agency complies with the Kansas Records Retention Schedule governing the preservation and destruction of agency records.

#### 20.1.3 Uniform Crime Data Collection and Reporting: [M] [TS] [DT]

The agency has a written directive describing the process for:

- a. Collecting Uniform Crime Reporting (UCR) data; and
- b. **Submitting crime data** that complies with the Kansas Incident Based Reporting System (**KIBRS**).

Guidance: Participation in a national Uniform Crime Reporting (UCR) or Kansas Incident Based Reporting System (KIBRS) program helps promote the development of good record-keeping and aids in the effort to establish a national database of crime statistics.

Agencies may refer to the KIBRS Handbook, K.S.A. 21-2501a, K.S.A. 21-2504, and K.S.A. 22-2307.





## 20.1.4 Reports and Calls for Service Accountability: [M] [DT]

A written directive establishes *procedures* to account for the status of reports and calls for service, including at a minimum:

- a. Assigning a unique control number to each report;
- b. Call for service recording; and
- c. Field reporting system.

Guidance: Calls for service recording refers to calls received that did not require a filed report be completed, but procedures should require the recording of information related to the call and call disposition.

Procedures should include requirements to ensure the original report is maintained within the Records function. The agency's field reporting system should establish procedures for a process of comparing all unique control numbers assigned to field reports taken by officers and others. This process should account for reports, determine their location, and ensure the incident numbers associated with the reports are accounted for and accurate.

## 20.1.5 Records Management System Security: [M] [TS]

A written directive establishes *procedures* to protect its records management system (RMS) through:

- a. Data back-up;
- b. Data storage;
- c. Password protection;
- d. **Annual Password Audit** of the agency's records management system; and
- e. **Immediate Audit** of the agency's records management system if a breach of security is discovered or suspected.

Guidance: RMS files should be backed up according to a regular schedule.

Storage of RMS back-ups should be retained in accordance with record retention laws or regulations. Media, tapes, disks, or drives should be stored off-site in a secure facility or area. If used media is not recycled, methods of destruction should be determined to ensure that data is not retrievable from the discarded media.

The protection of computerized records and data that are critical to the agency's records management system should be controlled through passwords, encryption, and other electronic controls. Physical security and system maintenance must be maintained at all times. A security system to prevent unauthorized access may be maintained by another entity. Automated systems for verifying passwords and access security will satisfy the requirements of bullet c.

A regular check of passwords, access codes, and other security devices will maintain the integrity of the agency's records management system.





## *Section 20.2 - Management*

### **20.2.1 Field Reporting System: [M]**

A written directive establishes and describes a field reporting system; including the requirement of supervisory review/approval.

Guidance: This directive may be in the form of a standalone field-reporting manual that describes and illustrates the information to be included on field reporting forms. The manual or policy should be all-inclusive and serve as a user's guide in all field-reporting situations. If the agency is using a computer system, the written directive should address procedures for use.

Field reporting is the primary mechanism to memorialize incidents requiring the involvement of law enforcement personnel. Field reporting provides a basis to document preliminary criminal and quasi-criminal investigations for future action or reference.

A suggested set of field-reporting forms may include the following: offense report, supplemental report; traffic accident report; arrest report; property report; prosecution report; evidence custody receipt; affidavit; and miscellaneous incident report.

Agencies have wide latitude in determining the types of field reporting systems it uses. Systems may be form or paper-based, electronic, or a combination of both. The timely submission of such field reports is critical to the efficiency of an agency. Many investigative and ancillary processes might not be performed or initiated in a prompt fashion without the approved preliminary report. Examples include, but are not limited to: victim/witness services, follow-up investigations, impounded vehicle releases, etc.

Supervisory review should be required as the first step in the submission process, and the form should be designed for the signature or initials of the reviewing/approving supervisor. The directive must include a method for someone to approve and review initial reports. This is important to demonstrate supervision of personnel and to ensure accountability for accurate reports.

### **20.2.2 Incident Reporting System: [M]**

The agency has a written directive that requires a report and/or CAD entry be completed for every incident alleged to have occurred in the agency's service area.

Guidance: The intent of this standard is to ensure that the agency has a system, CAD or otherwise, to record all calls for service. At a minimum, the record should contain the date, time, location, nature of the incident, responding officer, and call disposition.





### 20.2.3 Report Distribution: [O]

The agency has a written directive establishing *procedures* for the distribution of reports and records.

Guidance: The written directive procedures should specify which types of reports should be distributed to the various specialized function or organizational components within the agency for follow-up, and those to be distributed outside the agency (i.e., City Attorney, County/District Attorney, Kansas Department for Children and Families (KCF), Kansas Department of Transportation (KDOT), etc.). Central records should be the main repository for reports completed by all agency components.

### 20.2.4 Alternative Reporting: [M]

If the agency allows for incident report information to be taken by telephone, mail, web-based, and/or other emerging technologies in place of an officer's on-scene response, a written directive governs the criteria for accepting these reports.

Guidance: The intent of this standard is to develop guidelines for accepting information in an alternative manner. The agency should consider developing a list of call types that can be dealt with in an alternative manner, such as theft (excluding theft of a gun or prescription drugs), telephone harassment, criminal damage to property, criminal damage to vehicle, or identity theft, etc.

### 20.2.5 Traffic Citations: [M]

A written directive governs agency *procedures* for maintaining records of traffic citations and at a minimum includes:

- a. Issuing citations;
- b. Accounting for all citations; and
- c. Secure storage of citations.

Guidance: The agency should establish procedures to strictly control the issuing and accounting of citations. Copies of citations issued by officers should be filed in the agency records. Issuing, accounting, and storing of citations may be accomplished by paper or electronic means.





## Chapter 21 – Evidence Collection

### Section 21.1 - Administration and Operations

#### 21.1.1 24-Hour Investigative Availability: [M]

A written directive governs the 24-hour availability of qualified investigative personnel, within or outside the agency, to respond to incidents requiring more than routine preliminary investigation.

Guidance: In the event of a major crime/collision the prompt collection and preservation of physical evidence, and 24-hour crime scene processing capability should be available. Smaller departments may have arrangements for response from another agency.

#### 21.1.2 Evidentiary Items: [M]

The agency has a written directive establishing guidelines and *procedures* used for crime scene processing of physical evidence that include at a minimum:

- a. Collecting;
- b. Processing; and
- c. Preserving.

Guidance: The agency should develop general guidelines for its approach to crime scene processing. For example, the first rule may be to secure and protect the crime scene. The written directive should dictate whether processing is to be conducted by field personnel or those with specialized training. Processing procedures should determine the progression of tasks, such as photograph, sketch, fingerprint, mark, and collect.

The written directive should also provide guidelines for the preferred methods of collecting, marking/labeling, and packaging/storing a variety of evidentiary items. Methods used are those that should preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible and practical.

For physical evidence to be accepted by the court at the time of trial, it is essential that the chain of evidence be maintained. The initial step in this process is marking or labeling the item at the time it is collected, seized, or received. Items should be marked so as not to damage or contaminate the evidence. As a best practice items that cannot be marked could be placed in an appropriate container, sealed, and the container labeled.

Vehicles used for processing crime scenes should have the equipment to recover fingerprints, take photographs, sketch the crime scene, and collect and preserve evidence.

For all items of evidence gathered at a crime scene, the investigator and/or processor should prepare a list containing a description of the item collected (including make, model, and serial number, if any), the source (person or location obtained from), and the name of the person collecting the item. Other information may also be pertinent to the list. The inventory is essential to the investigator and the processor for recording activities at the scene and qualifying the evidence at the time of trial.





### 21.1.3 Forensic Lab Submission: [M]

If the agency personnel perform evidence collection, the agency has a written directive identifying *procedures* for the submission of evidence to a forensic laboratory, which includes at a minimum:

- a. Identification of the person(s) responsible for the submittal of evidence to the laboratory;
- b. Packaging and transmittal requirements of evidence being submitted;
- c. All documentation required to accompany evidence upon submittal; and
- d. Obtaining receipts that document the chain of custody.

Guidance: All items prepared and submitted to a forensic laboratory should be done so in a uniform manner. Chain of custody documentation should be carefully maintained with guidelines for the types and preparation of transmittal documents required. The agency's written directive should specify procedures for submission of perishable evidence to the laboratory such as blood and blood-stained items, as well as other biological/physiological stains, tissues, and materials. Large bulky items, firearms, drugs, and other items should be prepared and submitted in accordance with the receiving laboratory's guidelines and requirements.





## Chapter 22 – Property and Evidence Control

### Section 22.1 - Administration and Operations

#### 22.1.1 Evidence Security and Property Management: [M] [EO]

The agency has a written directive establishing continuous security measures and *procedures* for receiving and controlling all in-custody and evidentiary property obtained by employees into the agency's control and minimally includes:

- a. Limiting access to storage areas to specific, authorized personnel;
- b. Packaging and storage requirements;
- c. All in-custody evidence/property be logged into agency records before personnel end their shift, or as soon as possible;
- d. All in-custody evidence/property to be placed under the control of the designated property and evidence control function before an officer ends their shift;
- e. A written report is completed describing each item and how it came into the agency's possession;
- f. All in-custody evidence/property be stored within a designated secure area;
- g. Separate security measures for storage of "high-risk" items which includes: drugs, money, firearms, and high-value/sensitive items;
- h. Drugs are weighed whenever they enter or leave the evidence/property-controlled area;
- i. An effort to notify the owner of property in the agency's custody; and
- j. The temporary and final release of items from the evidence/property control function.

Guidance: The importance of proper evidence and property control cannot be overemphasized; it is essential to effective law enforcement and has significant potential to expose the agency to civil liability. The agency should not lose sight of its responsibility to protect all property coming into its control and custody or of its ongoing obligation to maintain continuous security and uninterrupted chain of custody. The agency should establish specific controls and ensure strict adherence to all of its policies and procedures governing all in-custody and evidentiary property. This should protect both the officer and the agency.

The property should be entered into storage in a uniform manner. Methods for preparing, labeling, and recording property should be established. Responsibility for these tasks may be assigned.

Logging of in-custody or evidentiary property can be accomplished by the completion of agency required paperwork or by means of electronic entry into the agency approved electronic tracking system.

Initially, every item of property obtained by an employee during a shift should be placed under the control of the property and evidence function prior to shift's end. This should allow the property to be officially inventoried and recorded in the agency's records in a timely manner. The agency may authorize exceptions to these procedures; however, supervisory approval should be obtained and a descriptive inventory should be accomplished verbally or through other electronic means if distance is a factor. A system should be in place to put items under the control of the evidence/property control function once it leaves the collecting officer's hands, the use of drop boxes or temporary storage lockers would accomplish this requirement.





All employees should complete a descriptive inventory of every item of property coming into their possession as a result of their official duties and responsibilities as soon as practical.

Agencies should provide additional processes to ensure that drug evidence is not tampered with prior to destruction. This process and the destruction are witnessed by at least one other person who does not have access to the property room. Drugs, guns, money, and high-valued or sensitive items must not be comingled with general evidence.

### 22.1.2 Temporary Holding: [M] [OBS] [EO]

The agency shall have a secure area(s) designated for the temporary storage of in-custody and evidentiary property during periods when the property room is closed or not accessible.

Guidance: Temporary evidence/in-custody property storage is required to maintain the chain of custody and integrity of in-custody property/evidence when the main evidence/property facility is closed, unattended, or unavailable. The agency is free to determine the methods used. The agency needs to establish provisions for the temporary storage of perishable evidence. The key provision is that no one should have access to property and evidence that has been temporarily stored until claimed by the property/evidence custodian, with exceptions noted.

Keys to the lockers must be a type that cannot be reproduced without proper written authorization. Procedures for the temporary storage of property should require the officer to place the property into a locker compartment, lock, the locker and secure the key from reuse until released by the property/evidence custodian. The property officer, upon coming on duty, would remove the property from the sealed locker by using a master key. The property officer would then place the property items in the vault after following proper inventory and logging procedures.

At times, the storage capacity of temporary lockers, cabinets, etc., is at capacity. At times, property or evidence may be too large to secure in the lockers, cabinets, or areas provided for temporary storage. The agency should provide procedures to summon the property/evidence custodian in these cases.

### 22.1.3 Controlled for Training Purposes: [M] [EO]

A written directive established *procedures* for the security and accountability of the following when used for investigative and training purposes:

- a. Controlled substances;
- b. Weapons; and
- c. Explosives.

Guidance: Some agencies may choose to use controlled substances, weapons, or explosives for investigative or training purposes. It is critical that security protocols for every piece of property used in this manner are established to maintain the security and integrity of those items.







## 22.1.4 Records Tracking Property: [M]

Records reflect the status of all in-custody and evidentiary property being held by the agency.

Guidance: A records system is fundamental to the integrity and accountability of an agency's property management system. The system should reflect the character, type, and amount of property maintained by the agency; property location; dates and times when the property was received, transferred, and released (i.e., chain of custody); and final disposition. Bar-coding has become a popular property management system. Many computer-aided dispatch (CAD) systems have an integrated property management component.

## 22.1.5 Evidence Quality Control Procedures: [M] [TS]

A written directive establishes quality control protocols and *procedures* for all in-custody and evidentiary property while in the agency's custody, to minimally include:

- a. An **Annual Inspection** is conducted by the person(s) responsible for the evidence/property control function;
- b. A **Per Incident Audit**, conducted in accordance with requirements defined in Addendum F, is required whenever there is a change of the evidence/property head custodian or any indication or suspicion of a breach of the secure property/evidence area; and
- c. An **Unannounced Annual Inventory**, conducted in accordance with requirements defined in Addendum F, will be completed by an individual designated by the agency's Chief Law Enforcement Executive Officer.

Guidance: The intent of this standard is to establish procedures for inspections and inventories to maintain the integrity of the property function.

The purpose of the Annual Inspection is to determine if the evidence/property storage area(s) are being maintained in a neat and organized manner that protects the integrity of the evidence/property area(s) in accordance with the agency's written directive. The inspection does not require an inventory, but is used to report issues related to available space, lack of dispositions being received from the courts, problems/issues with packaging and timely receiving of property, backlog of crime labs, etc., and the overall day-to-day functioning of the evidence/property area.

The purpose of the Per Incident Audit is assurance for the person assuming custody of the property that records are current and properly annotated. All discrepancies found should be recorded prior to the assumption of the property accountability of the newly appointed head custodian. As noted in Addendum F, an error ratio of 10% or great of the "high-risk" items will require a complete audit of the "high-risk" items.

The purpose of the Unannounced Annual Inventory is to ensure the continuity of custody and does not require an accounting of every single item of property. It is recommended that the person assigned to complete the Annual Inventory does not have any supervisory or command authority over the evidence function.





## 22.1.6 Timely Disposition of Property: [O]

A written directive governs *procedures* for final disposition of found, recovered, and evidentiary property is accomplished within one year, or as soon as practical, after legal requirements have been satisfied and in conformance with applicable Kansas statutes and/or city and county ordinances.

Guidance: Written procedures should ensure that property is disposed of or released in a timely fashion. Whenever possible, found property or evidentiary items should be returned to the owners if known. In those cases where the owner is not known and steps cannot be taken to return it to the rightful owner, procedures should be in effect that describe how and when the property will be disposed of. These procedures will help ensure that there is enough room to store new evidence and found property that comes into the agency as well as not to deprive the owner of his/her property any longer than is necessary. Release of property shall conform to applicable state statutes and/or city and county ordinances.

Agencies may refer to K.S.A. 22-2512.

## 22.1.7 Property Acquired Through Civil Process: [M]

If the agency acquires property through the civil process function or asset forfeiture proceedings; a written directive governs *procedures* for maintaining records and the disposition of all such property.

Guidance: Agencies should comply with all federal and state laws regulating the seizure and disposition of property forfeited.

Agencies may refer to K.S.A. 64-4101, and K.S.A. 60-4117.

## 22.1.8 State/Federal Required Annual Reports: [M] [TS]

All Kansas law enforcement agencies, regardless if they use asset forfeiture, are required to:

- a. Submit a state summary asset seizure and forfeiture **Annual Report** every year by February 1 to the Kansas Asset Seizure and Forfeiture Reposition (KASFR); and
- b. Agencies who participate in the federal Equitable Sharing Program must submit an **Annual Equitable Sharing Agreement and Certification** within two months after the end of their fiscal year.

Guidance: The intent of this standard is to ensure agencies have submitted the required annual reports. Every agency, even if there were no assets seized, forfeited, or funds expended, must complete the state annual report each year.

Direction for the state annual Kansas Asset Forfeiture Report (KASFR) report is available from the KBI at [kasfr@kbi.ks.gov](mailto:kasfr@kbi.ks.gov) and K.S.A. 60-4127.

Direction for the federal Equitable Sharing Agreement and Certification (ESAC) annual report is found in the [Guide to Equitable Sharing for state, local, and tribal law enforcement agencies](#).





## Chapter 23 – Campus Law Enforcement

### Section 23.1 - General

#### 23.1.1 Risk Assessment/Analysis: [M] [TS]

A written directive requires a documented **Quadrennial Risk Assessment and Analysis** which includes at a minimum:

- a. Specific areas to be reviewed;
- b. Ascertaining which types of reports/records will be utilized in the assessment/analysis;
- c. Risk of property loss to the institution as well as individuals;
- d. Risks to the community from accidents;
- e. Risks to the community from criminal activity;
- f. Identifiable liability issues, if any; and
- g. Reporting of conclusions and recommendations to the appropriate entities inside and outside the institution.

Guidance: The risk assessment and analysis might be a part of other assessments performed by the agency or the institution which encompass the security function. The final conclusions and recommendations should be reported to those who are in a position to act upon them. These entities might be within or outside the institution. Reports that might be of assistance in the assessment could include; injury reports, motor vehicle accident reports, and police incident reports. Other areas of consideration might include items such as building/environmental issues and potential severe weather events.

#### 23.1.2 Conducting Background Investigations: [M]

If the agency has a role in conducting background investigations of students, faculty, staff, and any other on-campus personnel a written directive defines the agency's responsibility.

Guidance: The nature and scope of certain activities on college and university campuses now require background investigations to establish trustworthiness of certain persons. Agencies should be aware of, and work in conformance with, applicable law and regulations regarding the investigation, procedures, records distribution and retention when conducting background investigations.





### 23.1.3 Security Escort Service: [M] [TRG]

If the agency is responsible for a formal security escort service program, a written directive establishes *procedures* for:

- a. Educating the campus community about the availability of the service;
- b. Conditions for providing the service;
- c. Selection of security escort personnel;
- d. Background investigations and **initial training** of security escort personnel;
- e. Rules and regulations for security escort personnel; and
- f. Supervision of security escort personnel.

Guidance: Employees of the campus law enforcement agency who provide security escort services as part of their regular duties are not held to this standard. This standard is meant for students, volunteers, contracted security firms, or part-time employees that provide security escorts.

This service is normally provided to employees and students who travel at night or in isolated areas. It might also be provided to employees or students when there is a clear threat or safety concern specifically directed at them.

It is important that background investigations, screening of applicants, and training/orientation is done before they start their duties.

### 23.1.4 Emergency Notification System: [M]

If the agency plays a part in an emergency notification system, a written directive governing:

- a. Situations under which the system will be initiated;
- b. Individual(s) responsible/authorized for activating the system;
- c. Methods utilized to disseminate information;
- d. Information that will or will not be disclosed via the notification system; and
- e. A requirement that an alert is updated when or if new information becomes available and canceled at the conclusion of the event.

Guidance: The notification system can utilize local television access channels, email notifications, text messages, or automated telephone calls. The emergency notification system can be used for natural events such as severe storms, or man-made events such as major accidents, fires, or active shooters. A notification can also be used in an attempt to locate a crime suspect or missing person. Since users will most likely need to subscribe to the system, the written directive should address privacy issues, updating the database, and security of the system. There might be State or Federal regulations in existence that govern these types of systems. The agency should consult such regulations, when they exist, while preparing or updating the written directive.





### 23.1.5 Behavioral Threat Assessment: [M]

A written directive describes the agency's involvement in the campus behavioral threat assessment process.

Guidance: The intent of this standard is to make appropriate campus resources aware of individuals that law enforcement has become aware of that demonstrate they are at risk physically or emotionally or may be a risk to others. This may be from their disregard of excessive drinking consequences, involvement in an abusive relationship, critical inability to adapt to the campus/college lifestyle, or drug use which if the situation continues could result in harm to themselves or others.

### 23.1.6 Video Surveillance: [M] [TS] [TRG]

If the agency is responsible for monitoring security cameras placed around campus a written directive establishes *procedures* for:

- a. Conditions and responsibilities for monitoring cameras and responding to incidents observed;
- b. **Initial training** for employees whose function includes monitoring security cameras;
- c. Maintenance and **testing of security camera equipment**;
- d. Determining security camera locations;
- e. A **Needs Analysis** conducted at least **Quadrennially**, based upon a **documented Security Survey** to reevaluate security camera locations; and
- f. For requests to review or release video footage or images captured by security cameras.

Guidance: The location of security cameras should be periodically reevaluated. Additional cameras or relocation of cameras might be needed by changing conditions such as construction, vegetation growth, and changes in pedestrian and vehicular traffic flow. Security cameras can be effective in crime prevention and identifying suspects when a crime occurs within the field of view of a camera.

### 23.1.7 Emergency Phones (call boxes): [M] [TS]

If the campus utilizes emergency phones (call boxes) or similar devices, a written directive establishes guidelines for:

- a. Their location;
- b. Responding to calls;
- c. Maintenance; and
- d. **Testing**.

Guidance: It is recognized that the agency may not have complete control over these devices. However, the agency must demonstrate, to the extent possible, that the school has met the requirements of this standard.





## 23.1.8 Administrative Investigations: [M]

A written directive defines the *procedures* for conducting administrative investigations to include:

- a. Explanation of the administrative investigative goal;
- b. Review and analysis of records, documentation, and related materials;
- c. Conducting supplementary interviews;
- d. Additional information that may be requested;
- e. Preparing investigative reports and findings for review by appropriate administrative authorities; and
- f. Referring to appropriate authorities in all occurrences when criminal activities are discovered during the non-criminal administrative investigation.

Guidance: It is not uncommon for campus law enforcement to serve a dual capacity as public peace officers and officers of the campus administration. Officers will be tasked to conduct non-criminal administrative investigations and excludes misconduct by agency personnel which is addressed in Chapter 5 - Professional Standards.

### *Section 23.2 - Medical Centers*

## 23.2.1 Medical Centers: [M]

If the campus has a medical center within its jurisdiction, a written directive governs the agency's role and responsibility in providing public safety services for the medical center facility and establishes the following guidelines for personnel assigned to the facility:

- a. Responsibilities for patrolling the facility;
- b. The role of agency personnel in screening patients/visitors to the emergency unit for weapons, if any;
- c. The role of agency personnel in screening "direct admit patients" for weapons if any; and
- d. Responsibility for managing high-risk patients.

Guidance: Campus medical centers may be directly governed by the institution of higher learning or by a separate hospital authority with a strong affiliation to the institution of higher learning. The medical center facilities often hire outside security companies, off-duty police officers, or have their own security personnel responsible for patrolling the facility. The written directive should address the agency's role in patrolling the facility and responding to calls for service at the facility. This standard does not apply to student, faculty, or staff health centers with limited operations.





## 23.2.2 Medical Center First Response Responsibilities: [M]

If the campus has a medical center and the agency has responsibility for first response, a written directive governs *procedures* at a minimum for:

- a. Responding to emergency calls for service;
- b. Assisting the medical center's Emergency Medical Treatment and Labor Act (EMTALA) response team(s);
- c. Responding to reports of baby abductions from the medical center; and
- d. Responding to non-emergency calls.

Guidance: Medical centers pose a challenge for law enforcement response, not only because of their size but also because of the many controlling regulations. The purpose of this standard is to ensure rapid response by campus law enforcement while remaining sensitive to the medical center environment.

The Emergency Medical Treatment and Active Labor Act (EMTALA) ensures public access to emergency services regardless of their ability to pay. The agency's written directive should articulate the agency's role in the expeditious response to screen and stabilize all individuals at the medical center who request medical treatment.

### *Section 23.3 – Research-Intensive Facilities*

## 23.3.1 Research-Intensive Facility: [M] [TRG]

If the agency's jurisdiction includes a research-intensive facility, a written directive establishes:

- a. The agency's role when responding to the facility;
- b. Responsibilities of the communications staff;
- c. Specific responsibilities of responding agency personnel;
- d. Identifying the position or agency responsible for coordinating the response to various types of incidents at the facility;
- e. **Initial training** for agency personnel in any unique risks at the facility and proper response to those risks; and
- f. Specialized equipment needed or required for responding to various types of incidents at the facility.

Guidance: Dependent upon their specific area of research, these types of facilities can pose elevated safety and health risks to responders. Information and equipment which will assist responders to maintain their safety, as well as the safety of the facility itself and the research contained therein, should be readily available to responders. Research intensive facilities are quite often subject to government regulations and safety provisions. These should be referenced when developing training in the response to the facility, as well as, during the promulgation of the written directive.





## Section 23.4 - Administration

### 23.4.1 Clery Act: [M] [TS]

An agency written directive defines the role of the agency and defines responsibility for compliance with the Clery Act and includes at a minimum:

- a. **Annual reporting** requirements;
- b. Provides *procedures* for warning notifications to the campus community about crimes that impose a threat to the students and employees, in a timely manner;
- c. Requirements for maintaining a daily public crime log;
- d. Submission of data to the United States Department of Education;
- e. *Procedures* establishing the rights of victims of sexual assaults; and
- f. Meeting all operational and **reporting requirements** as stipulated by the United States Department of Education.

Guidance: The Clery Act specifies the types of crimes to be reported in various categories. This includes public areas adjacent to a campus, off campus, living locations, etc. Information may need to be acquired from other local law enforcement agencies with jurisdiction on campus. Additionally, there are requirements for posting the agency's policies on topics like sexual assaults, and involvement with other law enforcement agencies. For additional information refer to the following resources:

- The Higher Education Opportunity Act (HEOA).
- The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act).
- The Department of Education's Campus Security website.







## Addendum A – Program Glossary

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### A

**Abandoned Vehicle:** An “abandoned vehicle” is a vehicle, trailer, or semitrailer that is subject to registration and has been abandoned on public or private property, whether lost, stolen, abandoned, or otherwise unclaimed.

**Accident Reporting:** Basic information and data from a traffic accident that is captured and documented. This may include the identification of operator(s), occupant(s), and vehicle(s) involved as well as the date, time, and location of the accident.

**Accountability:** The state of being held responsible by higher authority for specified job-related results.

**Active Threat:** Any deliberate incident that poses an immediate or imminent danger to others. Although these events often involve the use of firearms by perpetrators, they may also involve the use of other types of weapons or implements with the intent to cause harm to others.

**Administrative Review:** A documented review of an incident or occurrence prepared by or for the CLEO or their designee. The review should indicate whether policy, training, equipment or disciplinary issues should be addressed.

**Agency:** An administrative division of government with specific functions, such as a Police or Sheriff’s Department.

**All Hazard Plan:** See Emergency Operation Plan.

**Amber Alert:** (America’s Missing: Broadcast Emergency Response Plan) Law enforcement, media/broadcasters, transportation, and other partners working together to disseminate information to the public in response to the most serious child-abduction cases. The twelve elements of an AMBER plan include the name of the plan, stakeholders, memorandum of understanding, criteria, quality control, measures, an activation protocol, tools to activate, technology training, phone bank, after-action reports, and oversight committee.

**Analysis:** A systematic, structured process for dissecting an event into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs, and/or policy modification needs.

**And:** Used as a function word to indicate connection or addition especially of items within the same class or type; used to join sentence elements of the same grammatical rank or function. In the context of accreditation, when the word “and” is used between items then all items must be accounted for – proven.





**Annual:** Happening once a year.

**Applicant:** Any person who applies or makes a formal application for employment.

**Arrest:** To deprive a person of their liberty by legal authority. (See Custody; Full-Custody Arrest; Physical Arrest)

**Arresting Officer:** A sworn law enforcement officer who takes a person into custody, with or without a warrant.

**Assessed Proficiency:** Attaining and assessing someone's knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force and deadly force; being familiar with recognized safe-handling procedures for the use of these weapons. A certified weapons instructor or armorer shall provide instruction in and qualification with all weapon systems. Assessed proficiency for firearms includes qualifying on a prescribed course. Assessed proficiency for electronic control weapons includes successfully loading, unloading, deploying, and discharging the prongs of the weapon on an annual basis. Assessed proficiency with less-lethal weapons may be satisfied with following the manufacturer's guidelines or training program. Synonymous terms include demonstrated proficiency, proficiency testing, assessment, etc.

**At-Risk Persons:** Any person who is physically or mentally challenged and who poses a risk to themselves or others, e.g., mental disorders, suicidal, Alzheimer's patients, or diabetics.

**Audit:** The methodical examination and review of a random sampling of records or activities to ensure compliance with established controls, policies, and operational procedures, and to recommend any indicated changes.

**Audit (Evidence):** An accounting of each "high-risk" category in the amount of 75% of the category total or (100) items, whichever is less; and in addition, 25% of the total or fifty (50) items, whichever is less, of the all other in-custody/evidentiary items in the possession of an agency.

**Available Work Force:** The largest potential group or number of individuals eligible, qualified, and capable of assuming specific activities and responsibilities.

## B

**Barricaded Person:** An individual who resists being taken into custody by using, or threatening to use, firearms, other weapons, explosives, etc. A barricaded person is normally behind some form of cover and may or may not have taken a hostage or made threats to his/her own life.

**Biennially:** An action or event that occurs once every two years.





**Blind Presentation:** The administrator conducting the identification procedure does not know the suspect's identity.

**Blinded Presentation:** The administrator may know the identity of the suspect, but does not know which lineup or photo array member is being viewed by the eyewitness at any given time.

**Body Cavity Search:** The touching or probing of a person's vaginal or rectal cavity by or at the direction of a law enforcement officer.

**Booking:** A procedure for admitting to a holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.

## C

**CAD:** Computer Aided Dispatch

**Candidates:** Persons seeking employment who meet the minimum requirements of the agency and have completed a formal application.

**Carroll Doctrine:** A legal principle that allows police officers to search an entire motor vehicle and any containers inside without a warrant if there is probable cause to believe that vehicle contains contraband or evidence of criminal activity.

**Cell:** A space, area, or enclosure in which to place and lock in a detainee, as to prohibit freedom of movement. A room where a prisoner is kept awaiting trial or sentence.

**Chief Law Enforcement Officer (CLEO):** The duly authorized top administrator of the law enforcement agency and is the highest-ranking executive for the law enforcement agency who possesses ultimate command authority for the operation of the agency.

**Chain of Command:** Formal lines of communication within the organizational hierarchy through each successive level of command.

**Chain of Custody:** Continuity of custody serving to ensure that material items introduced into the court are the same material or items originally collected as physical evidence.

**Citation:** Written notice to appear issued to an accused person, in connection with a traffic enforcement action or other charges, to appear before a court of law.

**Civil Process:** Those writs, summonses, mandates, or other process issuing from a court of law or equity pertaining to a cause of action of a civil nature. The term includes original, intermediate, and final process to be served by the agency in any action involving civil litigants.





**Civilian:** A non-sworn employee having no arrest authority. Civilians may be employed or affiliated with a law enforcement agency in a variety of supporting roles and may be uniformed, but lack the authority to make a full-custody arrest.

**CJIS:** Criminal Justice Information System.

**Code or Canon of Ethics:** A prescribed standard of ethical conduct or code of professional responsibility.

**Command Protocol:** Plan/policy established to ensure a continuation of supervision at all levels of the chain of command when vacancies or absence from duty exists.

**Complaint:** An allegation of misconduct, violation of law or agency directives, against any member of the agency. This does not include a complainant's misunderstanding or disagreement with the application of law or agency policy or procedures.

**Computer Aided Dispatch (CAD):** An automated system consisting of several modules that provide services at multiple levels in the communication center for public safety. These services include call input, call dispatching, call status maintenance, event notes, field unit status and tracking, and call resolution and disposition.

**Confidence Statement:** A statement in the witness's own words taken immediately after an identification is made stating his or her level of certainty in the identification.

**Constitutional Compliance:** Adhering to prescribed rules and fulfilling obligations to ensure legal and ethical conduct.

**Constitutional Rights:** Rights the U.S. Constitution provides to American citizens, especially the first ten amendments to the Constitution, a.k.a. the Bill of Rights.

**Continuous Supervision:** The direct, personal supervision and control of a detainee by the attending officer who can immediately intervene on behalf of the agency or the detainee.

**Contraband:** Any item that is illegal to possess, including items that are not permitted within a holding facility because of their possible use to disrupt security measures within the facility.

**Counseling:** Discussions between the rated employee and rater leading to advice to the former concerning performance or career development.

**Court:** A judicial officer or the room or space where judicial officers conduct trials, hearings, or other judicial activities.

**Crime Scene:** The location where the crime occurred or where the indication of the crime exists.





**Crime Scene Processing:** The specific actions taken at the crime or traffic crash scene, consisting of the taking of photographs, preparing a crime or crash scene sketch, and collecting and preserving physical evidence.

**Criminal Histories:** A transcript of arrests for an individual usually identified by name, date of birth, or identification number.

**Criminal Process:** Those writs, summonses, mandates, warrants, or other process issued from a court of law compelling a person to answer for a crime. The term also includes process issued to aid in crime detection or suppression, such as search warrants.

**Critical Incident / Unusual Occurrence:** An occurrence or event, natural or human-caused, which requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response, such as major planned events and law enforcement incidents.

**Critical Missing:** A reported missing person who is missing and foul play may be a factor; or any child (as defined by the local jurisdiction) or any at-risk person.

**Custodial Interrogation:** The questioning of a person by law enforcement who is not free to leave for any reason. It requires the person to be advised of their constitutional rights. It does not include routine processing or booking questions.

**Custody:** Legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person; (see Arrest; Full-Custody Arrest; Physical Arrest).

## D

**Deadly Force:** Force used when the officer reasonably believes that there is an imminent threat of serious bodily injury or death to his or her life, or a third person and includes, but is not limited to: the firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and the firing of a firearm at a vehicle in which the person to be arrested is riding. The terms deadly force and lethal force are considered synonymous.

**De-escalation:** Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.





**Detention:** In Chapter 14, “detention” does not refer to things such as officers detaining subjects in the field or officers utilizing rooms in a law enforcement facility to conduct interviews and/or interrogations. Chapter 14 refers to “detention” when an officer places a subject in a “locked” area where they are not constantly monitored or supervised by law enforcement.

**Demonstrated Proficiency:** Attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. Proficiency for firearms includes qualifying on a prescribed course. Proficiency for electronic control weapons includes successfully loading, unloading, deploying and discharging the prongs of the weapon on an annual basis.

**Detainee:** A person in the custody of agency personnel and whose freedom of movement is at the will of the agency personnel.

**Detainee Processing:** The performance of a series of actions to confirm and/or record the identity of a detainee, undertaken as a single, continuously monitored activity.

**Directive:** See “written directive.”

**Discipline:** A process designed to train, correct, and improve the performance of an employee and/or punitive actions designed to correct unsatisfactory behavior.

**Disabled Detainee:** A detainee with an anatomical, physiological, or mental impairment that hinders mobility.

**Diversion:** In the broadest sense, any procedure that (1) substitutes non-entry for official entry into the justice process, (2) substitutes the suspension of criminal or juvenile proceedings for the continuation of those proceedings, (3) substitutes lesser supervision or referral to a non-justice agency or no supervision for conventional supervision, or (4) substitutes any kind of non-confinement status for confinement.

## E

**Emergency:** An actual or potential condition that poses an immediate threat to life or property. In the context of mutual aid, it means a situation that exceeds a local agency’s capability to counteract successfully.

**Emergency Operation Plan (EOP):** Commonly referred to as an “ALL HAZARD PLAN,” an EOP is a written plan, containing general objectives, reflecting the overall strategy for responding to and managing critical incidents. The plan defines the scope of preparedness and incident management activity required of the agency and is flexible enough for use in all emergencies.





**Emotional Stability/Psychological Fitness Examination:** Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either deleterious or advantageous to successful job performance.

**Employee:** All agency employees, regardless of role or function.

**Evaluation:** A careful appraisal and study to determine the significance and/or worth or condition, and to draw conclusions pertaining to an item, project, or undertaking.

**Evidence:** Any substance or material found or recovered that can verifiably prove or disprove a material fact in a criminal or civil case.

**Evidentiary Property:** An item that will be used during the legal process.

**Execution:** The performance of an act required by the writ, warrant, or other process commanding the seizure of a person or thing, as opposed to mere delivery of an instrument without any concomitant seizure.

**Exercise:** Gathering of individuals inclusive of government and private sector persons, to develop plans, practice simulated implementation, and discuss each agency's role in handling unusual occurrence incidents. This could include tabletop, functional, and/or full-field exercises.

**Exigent Circumstances:** Refers to a situation in which a law enforcement officer with a pressing need to enter a residence without a warrant, is allowed to do so without violating the resident's constitutional rights against unreasonable search and seizure. This is because emergency circumstances often outweigh the need for a warrant. If an Officer has reason to believe there is an emergency occurring inside that is endangering a person, or that evidence is being destroyed, the officer may enter, after announcing himself, without a warrant.

**Extra-Duty Employment:** Any employment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee when the officer is employed and compensated by outside organizations.

## F

**Field Interview:** The stopping and questioning of a person by a law enforcement officer because there is reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a felony or misdemeanor involving danger of forcible injury to persons or of appropriation of or damage to property, then a field interview may be reasonably necessary to obtain or verify the identification of the person or determine the lawfulness of their conduct.

**Field Personnel:** Agency members who, by virtue of their assignment, have routine contact with the general public while not in a traditional office setting. Field personnel may be sworn or non-sworn.





**Field Training:** A structured and closely supervised program provided to new/recruit officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

**Firearm:** A weapon incorporating a metal tube from which bullets, shells, or other missiles are propelled by explosive force, such as a rifle, pistol, or other portable guns.

**Firearms Training:** Formalized and documented training of classroom and firing range instruction to ensure that each officer has demonstrated specific firearms proficiency as established by the chief law enforcement officer.

**Fiscal Management:** An accounting system that ensures the responsible management and control of all finances of an agency.

**Follow-Up Investigation:** An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.

**Foreign National:** Any person who is not a U.S. citizen; same as “alien.” Aliens who are lawful permanent residents in the United States and who have a resident alien registration card (“green card”) are foreign nationals. So are undocumented or “illegal” aliens.

**Foreign National Arrest or Detention:** Any arrest, detention, or other commitment to custody which results in a foreign national being incarcerated for more than a few hours triggers consular notification requirements. A brief traffic stop or an arrest resulting in a citation for a misdemeanor and release at the scene does not trigger such requirements. On the other hand, requiring a foreign national to accompany a law enforcement officer to a place of detention may trigger the consular notification requirements, particularly if the detention lasts for a number of hours or overnight. The longer a detention continues the more likely it is that consular notification requirements are triggered.

**Full-Custody Arrest:** Arrest authority, with or without a warrant, which includes the legal authority to physically remove a person from their location, taking that person to a place of confinement or judicial authority.

For interpretive purposes, the line of demarcation between sworn and non-sworn (or civilian) agency personnel exists with the authority to make a full-custody arrest. A sworn officer has the authority to make a full-custody arrest; a non-sworn person does not.

Non-sworn personnel (civilians) may have limited authority to stop and detain persons (such as authority granted to security guards), or stop and issue a notice to appear in court (such as authority granted to traffic enforcement aides), but they do not possess the authority to make a full-custody arrest. A full-custody arrest includes the authority to deny persons their freedom, using force if necessary, to effect the arrest. (See Arrest, Custody; Physical Arrest.)







**Function:** A general term for the required or expected activity of a person or an organizational component, e.g., patrol function, communications function, the investigation function, the crime analysis function.

## G

**General Order:** A term used by some agencies to describe directives of a long-standing nature concerned with policy, rules, and procedures affecting more than one organizational component.

**Goal:** A relatively broad statement of the end result that one intends ultimately to achieve. A goal usually requires a relatively long-time span to achieve and, whenever possible, should be stated in a way that permits measurement of its achievement.

**Grievance:** Formal request in writing to resolve differences in identified matters due to an actual or supposed circumstance regarded as just cause for protest.

**Grievance Procedure:** A formal method of resolving differences between employees and employers.

**Guidance Statement:** The guidance statement supports the standard statement but is not binding. The guidance statement can serve as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

**Guidelines:** Statements, past practices, or other indications of policy or procedure, used to determine a course of action.

## H

**Hazardous Materials:** Any liquid, gas, or solid compound that could be injurious an animal, vegetable, or human life.

**Holding Area:** Any locked area, space, or enclosure where a prisoner/detainee is placed to prohibit freedom of movement.

**Holding Facility:** See Lock-Up Facility.

## I

**IACP:** International Association of Chiefs of Police.

**Incident:** An event that requires law enforcement action, documentation, or the dispatching of agency personnel in response to citizen requests for law enforcement services. This includes any incident, whether criminal or non-criminal, which involves a response to the scene, an investigation, or the preparation of an oral or written report.





**Incident Command System (ICS):** A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property, and the environment. The five major components are command, planning, operation, logistics, and finance/administration.

**Inspection:** A critical examination; a formal review of all components of a particular requirement and an examination of their application.

**In Custody:** Being under the full control of a law enforcement officer; (See Full-Custody Arrest.)

**Informant:** A person who gathers and provides information to an agency, often secretly, in exchange for personal gain, such as cash or leniency in punishment for their crimes. Unlike witnesses, informants are motivated by self-advancement.

**In-Service Training:** Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and shift briefing training.

**Inspection:** A comparison of an individual or an organizational component against an established standard, such as policies, procedures, practices, or expected behaviors. Organizational component inspections are commonly referred to as staff inspections and encompass a full-scale review of the current operations of a unit or section of the agency. Inspection can also include all aspects of administration, personnel policies, directives, equipment, and facilities.

**Inspection (Evidence):** A careful and critical examination; a formal review of all components of a particular requirement and an examination of their application.

**International Treaties:** Written agreements between sovereign states (or between states and international organizations) governed by international law.

**Intake:** The point at which a juvenile offender enters the juvenile justice system. Intake may be initiated at the request of the law enforcement agency, but the intake process is generally supervised by a probation agency, juvenile court, or special intake unit.

**Internal Affairs Investigation:** A formal, detailed investigation of alleged misconduct, violation of law, or Agency directives.

**Interview:** A conversation between officers and persons who are thought to have knowledge sought by the officer, whether those persons are victims, witnesses, suspects, or anyone who may possess relevant information. An interview may be relaxed and informal or highly structured and formal, depending on the circumstances.





**Interview/Interrogation Room:** An agency-designated room(s) that will be used by agency members to either conduct custodial interviews of arrestees or non-custodial interviews of witnesses, victims, or potential suspects. These rooms shall not be used as detainee holding cells.

**Inter-Jurisdictional Pursuit:** Occurring between or involving two or more jurisdictions.

**Intra-Jurisdictional Pursuit:** Occurring within a single jurisdiction.

**Institution:** A facility that confines persons against their will and/or provides care for persons, e.g., mentally ill, adult, or juvenile offenders.

**Interrogation:** A type of interview that is accusatory and persuasive in nature and is conducted to elicit a confession. A suspect need not be in custody for an interrogation to occur.

**Inventory:** A detailed, itemized, often descriptive, list or report, recording the items in one's possession or the process of making such a list or report.

**Inventory (Evidence):** An accounting of each "high-risk" category in the amount of 10% of the category total or (15) items, whichever is less; and in addition, 25% of the total or fifty (50) items, whichever is less, of the all other in-custody/evidentiary items in the possession of an agency.

**In Writing:** Documented communication in a readable format either on paper or by electronic communication and is capable of being printed onto paper.

## J

**Jail:** A confinement facility where detainees are housed in excess of 72 hours.

**Job Description:** An official written statement setting forth the duties and responsibilities of a job, and the skills, knowledge, and abilities necessary to perform it.

**Job-Related:** A procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

## K

**KAR:** Kansas Administrative Regulations

**KIBRS:** Kansas Incident Based Reporting System

**KSA:** Kansas Statutes Annotated





## L

**Law Enforcement Services Contract:** The provision of paid law enforcement services in accordance with a written contract. This does not encompass a situation in which an individual performs services for an agency under a personal services contract.

**Legal Process:** Any item of the civil or criminal process, whether original, intermediate, or final that is valid on its face and is to be served or executed by the law enforcement agency.

**Less-Lethal Force:** Force that is not likely to cause death or great bodily harm. The terms non-deadly force, less-than-lethal force, and less-lethal force may be considered synonymous.

**Lethal Force:** See Deadly Force.

**Line Inspection:** Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspection may be carried out by any supervisor within the chain of command and is often conducted by supervisory personnel who may also be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

**Lineup (In-Person):** An identification procedure in which a victim or witness is asked to identify a suspect from among a group of people in order to determine or confirm the suspect's identity.

**Lineup (Photographic):** An identification procedure in which an array of photographs, including a photograph of the suspected perpetrator and additional photographs of other people not suspected of the offense, are displayed to an eyewitness either in hard copy form or electronic for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

**Lock-Up Facility:** A confinement facility outside of a jail where detainees are housed waiting to appear in court and/or sentenced prisoners. Detainees receive meals and can be detained for periods involving multiple days and overnight stays. A Lock-Up Facility is not co-located with or operated as an integral part of a jail.

## M

**Manual:** A collection of written directives in either hard-copy or electronic format.

**May:** Permissible

**Member:** A generic term utilized in this manual to describe all Agency personnel, including volunteers, auxiliary officers, and part-time personnel.

**Memorandum:** An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.





**Mental Illness:** Any condition characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma.

**Mission Statement:** A written statement that defines the purpose of an agency or organization. The mission statement should guide decision-making and provide a sense of direction for members of the agency.

**MOCIC:** Regional Information Sharing Systems. MOCIC is a regional information sharing system for law enforcement agencies in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, as well as parts of Canada.

**MOU:** Memorandum of Understanding

**Mutual Aid:** A formal agreement or legal authority among emergency responders to lend assistance across jurisdictional boundaries when required either by an emergency or disaster that exceeds local resources. This assistance includes, but is not limited to, such resources as facilities, equipment, services, supplies, and personnel.

## N

**National Incident Management System (NIMS):** A system for incident management that provides a consistent nationwide approach for federal, state, local, and non-governmental organizations to work effectively and efficiently to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

**NCIC:** National Crime Information Center. NCIC is a computerized index of missing persons and criminal information for rapid exchange between agencies.

**NIBRS:** National Incident Based Reporting System

**Non-Deadly Force:** Force that is not likely to cause death or serious bodily harm. The terms non-deadly force, less-than-lethal force, and less-lethal force are synonymous and may be used interchangeably to meet the standards in this manual.

**NSA:** National Sheriff's Association.

## O

**Objective:** An objective is an end result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a means to attain a goal, and therefore, requires a shorter time to accomplish than does a goal. Objectives should be simple, reasonable, attainable, measurable, and time-restricted.





**Officer:** An agency employee, sworn or non-sworn, who performs a police or security function including routine patrol, building security, emergency response, and follow-up investigation. The term “officer” does not apply to clerical personnel or those employees in a strictly administrative role.

**Off-Duty:** The time when an officer is not working either a regularly scheduled shift or any other time designated or approved by the chief law enforcement officer or designee.

**Off-Duty Employment:** Any employment that will not require the use or potential use of law enforcement powers by the off-duty employee.

**On-Duty:** The time when an officer is assigned to work either as part of a normal work schedule, or any other time so designated by the chief law enforcement officer or designee.

**On-Site Assessment:** An analysis conducted by a trained assessor or assessors that determines an agency’s ability to meet best practice standards through a process of reviewing policy, reports, interviews with agency personnel, and observation of the agency’s facilities and operations.

**Or:** Used as a function word to indicate an alternative, (*water or coffee*) the equivalent or substitutive character of two words or phrases (*sink or swim*), or approximation or uncertainty (*in two or three days*). In the context of accreditation, when the word “or” is used between items then one item or the other must be accounted for – proven.

**Ordinance:** Legislation enacted by a municipal authority.

**Organizational Chart:** A flow chart that graphically illustrates the components of an agency such as the chain of command and the lines of communications that can be followed by members of the agency.

**Organizational Component:** A subdivision of the agency, such as a bureau, division, section, unit, or position that is established to provide a specific function.

**Out of Service:** The time when an officer is unavailable for calls.

## P

**Patrol:** The deployment of officers to repress and prevent criminal activities, investigate offenses, apprehend offenders, and furnish day-to-day law enforcement services to the community.

**Patrol Personnel:** Sworn officers assigned to general day-to-day police activities including the deterrence of criminal activities, enforcement of vehicle and traffic laws, responding to calls for service, investigating reported crimes, and providing police services to the community.

**Performance Evaluation System:** A formal process used to measure the level of effectiveness of an employee with regard to job-related objectives. A Performance Evaluation System includes a standard





evaluation form; standard performance measures; guidelines for employee feedback; and follow-up in cases where there is a need to improve performance.

**Personal Equipment:** Equipment items issued and/or approved by the agency for employee use, e.g., badge, baton and holder, belts, cartridge carrier, departmental and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, side arm and holster, tear gas canister, and whistle.

**Personnel:** All sworn and non-sworn members of an agency and any volunteers working on behalf of the agency.

**Photographic Lineup:** A selected group of photographs of persons presented to a witness containing a single suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

**Physical Arrest:** Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer to a charge of law violation before the court (see Arrest; Custody.)

**Physical Evidence:** Any substance or material found or recovered in connection with a criminal investigation.

**Physical Lineup:** A selected group of persons presented to a witness containing a suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

**Plan:** Documented identification of methods to achieve desired goals or conditions.

**Policy:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as “may” or “should” and usually do not establish fixed rules or set procedures for the conduct of a particular activity but rather provide a framework for the development of procedures and rules and regulations.

**Policy Statement:** A broad statement of Agency principles that provides a framework or philosophical basis for Agency procedures.

**Position:** The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant. For purposes of comparison, a patrol officer assigned as a court officer would occupy a “position”, where patrol officer would be the “job.”

**Preliminary Investigation:** Generally, the activity that begins when personnel arrives at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. Synonymous terms include initial investigation, first-office investigations, etc.

**Prisoner:** Any person arrested and/or in the custody of a law enforcement officer or Agency.





**Procedure:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of “shall” rather than “should”, or “must” rather than “may.” Procedures sometimes allow some latitude and discretion in carrying out an activity.

**Process:** A series of actions, changes, or functions bringing about a result.

**Processing:** Includes pre-booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or be escorted to a holding facility, at which time they would be booked.

**Proficiency:** The additional skills, knowledge, and abilities that are needed to remain competent in performing the duties and responsibilities of the job.

**Property:** Any item that is owned by the agency or an item owned by an individual or entity that is in the possession of the agency that has no evidentiary value.

**Property and Evidence Custodian:** The person who holds authority for the day-to-day supervision and operation of the property and evidence function.

**Protective Custody:** Custody taken by a law enforcement officer either when that officer has determined that there exist reasonable grounds to believe, based on probable cause, that a person seems mentally ill and therefore presents a threat of immediate and substantial physical harm to that person or other persons OR when the officer knows that a person has an advance healthcare directive authorizing mental health treatment and the officer has reasonable grounds to believe, based on probable cause, that the person lacks capacity.

**Public Information Function:** The process of conveying agency information to the news media or community.

**Pursuit:** An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

## Q

**Quadrennial:** Occurring or being done every four years.

**Quarterly:** Once every quarter of a year.

## R

**Racial or Other Biased-Based Policing:** The unreasonable use of race, ethnicity, national origin, gender, or religion by a law enforcement officer in deciding to initiate an enforcement action.







**Reasonable Belief:** The facts or circumstances the officer knows, or should know are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**Recruit Officer:** Any officer who has not been granted a Municipal Police Training Council Basic Course for Police Officers certificate (or equivalent) or has not been granted permanent status.

**Recruit Training:** Generally considered to be basic law enforcement training or for an officer not currently in a sworn capacity. Recruit Training is the mandated training set by state, federal, or provincial authorities for a sworn officer to obtain general peace officer powers and make a full-custody arrest for violations of law.

**Remedial Training:** Training conducted, in addition to regularly scheduled training, to correct an identified deficiency.

**Reserve Officer:** A civilian volunteer, paid or unpaid, sworn as a Reserve Officer, whose function is to augment the police officers of the department in the performance of their duties and is vested with the same authority as full-time officers.

**Restraining Devices:** Equipment used to restrain the movement of the prisoner, such as handcuffs, flex-cuffs, waist chains, ankle chains, restraining straps, straitjackets, or tie-down stretchers.

**Review:** To examine or study; less formal than an analysis.

**Risk Assessment:** A systematic process of evaluating the potential risks that may be involved in a projected activity or undertaking.

**Roadblock:** A restriction, obstruction, or device used or intended for the purpose of preventing the free passage of motor vehicles on a roadway in order to affect the apprehension of a suspect.

**Rules and Regulations:** A set of specific guidelines to which all employees must adhere.

## S

**Search and Seizure:** A law enforcement officer's examination of a person's home, vehicle, or business to find evidence that a crime has been committed.

**Security Survey:** A thorough physical assessment of a facility and/or its operation to examine the risks that assets are exposed to and review the measures that are in place to enhance safety, protect property, and mitigate risk and liability. A survey is conducted to identify vulnerabilities and make recommendations on how these risks may be minimized or eliminated.

**Semi-Annual:** Occurring twice a year.





**Serious Physical Injury:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

**Service Community:** Persons within the Agency's jurisdictional responsibility.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**Shall:** Mandatory

**Shift:** An established period of time that an employee works, and can be determined based on workload demands and/or collective bargaining agreements.

**Show-Up:** A witness views a single suspect for purposes of identification of the suspect as the perpetrator of the crime.

**Skills, Knowledge, and Abilities:** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**Specialized Training:** Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job-specific subjects, e.g., homicide investigation, fingerprint examination, and juvenile investigation.

**Special Order:** A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

**Staff Inspection:** The inspection of agency procedures conducted by designated agency personnel.

**Standard:** A common term referring to a best business practice.

**Standard Operating Procedure:** A written directive that specifies how Agency activities are carried out.

**Statute:** A written law passed by a legislative body.

**Strip Search:** The removing or rearranging some or all of a person's clothing, by or at the direction of a law enforcement officer, so as to permit a visual inspection of the genitals, buttocks, anus or female breasts of such person.

**Supervision and Control:** Means direct in-person contact.





**Supervisor:** An employee responsible for the day-to-day performance of a group, function or unit, whose job is to oversee and guide the work or activities of a group of other people.

**Sworn Officer:** A person who is granted peace officer powers prescribed by the constitution, statute, or ordinance in the jurisdiction, including those persons who possess the authority to make a custodial arrest for limited or specific violations of law within the same jurisdiction.

## T

**Temporary Detention:** Temporary detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances. An area or room where detainees may be locked in and left unattended.

**Temporary Holding Area:** A location within the law enforcement agency, used for a brief period to process, question, arraign, or test individuals who are in the custody or care of the law enforcement agency. These areas would only be used until the processing is completed prior to the release of the person or until the person appears before a member of the judiciary system.

**Terry Stop:** The term “Terry Stop,” refers to the lawful detention of a person, by law enforcement officers, for a brief period of time. This enables officers to maintain safety while investigating a situation. During such a detainment, police are also authorized to conduct what is known as a “weapons pat-down,” or a “frisk”.

**Transport Vehicle:** The vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest; a vehicle that a correction facility designated for prisoner transport but also used for other purposes; or a specially designed prisoner transport vehicle, such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

**Transporting Officer:** A person who is responsible for transporting a prisoner from one point to another. This may be the arresting officer or another agency employee who is assigned to the responsibility for transport.

## U

**UCR:** Uniform Crime Report

**Unlawful Harassment:** Conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.





## V

**Victim:** A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his or her person or property.

## W

**Warning Shot:** A gunshot, fired into the air or a nearby object, intended to be harmless but used to call attention and demand some action of compliance.

**Whistleblower:** A person who informs on a person or organization engaged in improper or illicit activity.

**Will:** Conditions permitting

**Written Directive:** 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, collective bargaining agreements, governmental administrative orders, training bulletins, memoranda, Attorney General or County Prosecutor's Guidelines or Directives, and instructional materials.

## Y

**Year:** This is a period of time that is equal to a calendar year but may start on a different day.





## Addendum B – Guiding Principles

### Standards

#### Exceed Standard Requirements

An agency can exceed the standard requirements. A semiannual reporting requirement may be done annually if the agency so chooses to. This is but one example of how an agency's performance can exceed the standard.

#### Not Applicable by Function [N/A by Function]

A standard may not be applicable if the agency does not have responsibility for the functions addressed by the standard, providing the Kansas Accreditation Council concurs.

#### All Personnel vs. Sworn or Civilian Personnel Only

Unless otherwise indicated, standards related to personnel matters apply to all agency employees. Some standards indicate applicability to sworn or to civilian personnel. Where that differentiation is not made, the standard applies to all agency personnel.

#### Personnel Assessed According to the Glossary Terms.

There is no need for any agency to change its definitions or titles for positions, employees, or other individuals affiliated with the agency. The KLEAP Standards will be assessed using the Glossary Terms found in this manual in comparison to the agency's actual utilization of the personnel being assessed. The distinction between sworn and civilian personnel is predicated on the authority to make a full-custody arrest as defined in this manual, not on the basis of taking an oath of office. There may be employees, Auxiliaries, or other persons affiliated with the agency who are required to take an oath, wear a uniform, and perform quasi-law enforcement duties such as detention or transportation of detainees, but they are not considered sworn or reserve law enforcement officers unless their authority includes the authority to complete a full-custody arrest.

### Functions Performed or Delegated

#### Functions Delegated to Other Agencies

An agency that delegates functions to other agencies is held accountable for compliance with applicable standards governing those functions. For example, even though the agency delegates its communications function to a regional center, and its recruit training to a state or regional training center, the candidate agency remains responsible for the functions and, therefore, for compliance with the standards related to those functions.

#### Functions Are Performed on Agency's Behalf by Another Entity

An agency for which functions are performed on its behalf by another entity is held accountable to verify compliance with applicable standards governing those functions. An applicant agency remains accountable for the performance of functions that the KLEAP determines are applicable for an agency of its size and type, even if the function is performed by another organization. This applies to functions delegated, as noted above, and functions that are traditionally performed by another entity. This includes recruitment, selection, and promotion, which may be the responsibility of city or county personnel within another department.





## Agency Held Accountable for Functions Governed by Standards

An agency can be held accountable for functions governed by standards if the KLEAP determines that an agency of its size and type should perform the function. Ordinarily, this matter is resolved before self-assessment, but agencies should be aware of this guiding principle.

### Occasionally Performs a Function

If an agency occasionally performs a function governed by standards, its operations in this regard must not be in violation of the applicable standards. “Occasional” performance might include, but is not limited to:

- A non-full-service Sheriff’s office which, several times a month, backs up the local law enforcement agency at times when the local law enforcement agency may be short-handed;
- A small law enforcement agency which, several Friday nights a month, must hold prisoners for several hours in a holding area within the agency because the lock-up normally used by the agency is full; or
- A large agency that normally utilizes a regional law enforcement training center holds in-service training programs several times a year because the demand for retraining increases due to problems that are unique to that agency. Agencies that occasionally perform functions should ensure that their operations do not violate the standards. The KLEAP Manager should be consulted by the self-assessing agency if questions arise in this regard.

### Other Exceptions

Local law or agreement takes precedence. The KLEAP recognizes that local laws, Codes, Rules and Regulations, and current Bargaining Agreements are binding in nature and supersede KLEAP Standards. (Example of this may include Standard 3.5.1 Performance Evaluations. Some collective bargaining agreements prohibit the use of performance evaluations, thus rendering the Agency unable to meet this standard for employees represented through that agreement.)

In each of the cases noted above, an Agency is still expected to create a file folder for the relevant standard(s) and a written directive when called for by the standard. Depending on which exception applies, the agency will also provide:

- a) Proof of the agency’s inability to comply (such as a copy of the Collective Bargaining Agreement or local law);
- b) A copy of the Waiver provided to the KAC.

## Written Directives

### What is a Written Directive

A written directive can be a policy, plan, rule, procedure, special or general order, bargaining agreements, training directive, or other written documents that are binding upon the agency personnel. The objective of a written directive standard (the most common standard type) is to require a written directive. The form of the agency’s written directive can be what the agency has determined best fits its written directive system.

### Written Directive System

An agency does not need to have an individual written directive for each standard requiring one; the agency may have a single manual or directive covering several standards. The KLEAP is not intended to generate





unnecessary paperwork for the agencies. A written directive, general order, plan, etc., may serve to document a number of standards. The agency may list one source of documentation as many times as appropriate.

Assessors must go beyond merely verifying the existence of a written directive and must determine if the content of the written directive meets the standard requirements. Assessors may choose to verify the agency's compliance with any written directive standard. If the observation of an agency operation raises questions about the agency's compliance with the written directive, the assessor must resolve the compliance question through a review of additional written documents, or interviews.

## **Functional Compliance**

A written directive presumes functional compliance with the directive. The integrity vested in agencies participating in the KLEAP, as well as the number of standards, dictates that the KAC presumes that the agency operates in compliance with its own written directives.

## **Assessors**

Assessors may go outside the proofs of compliance and the agency to verify compliance.

Assessors must verify agency compliance with every applicable standard.

Compliance with standards must be both reasonable and achievable.





## Addendum C – Standard Elements

### *Standard Elements*

Many standards call for a policy or procedure without specifying the nature and scope of the policy or procedure. The KLEAP standards are designed to reflect “what” the agency must do and leave “how” up to the agency.

KLEAP standards consist of these major parts: *[see example below]*

1. <sup>[1]</sup> Standard Number;
2. <sup>[2]</sup> Standard Title;
3. <sup>[3]</sup> Standard Level of Compliance;
4. <sup>[4]</sup> Standard Tag(s), when applicable;
5. <sup>[5]</sup> Standard Statement; and
6. <sup>[6]</sup> Standard Guidance.

<sup>[1]</sup> **22.1.2** <sup>[2]</sup> **Temporary Holding:** <sup>[3]</sup> **[M]** <sup>[4]</sup> **[OBSERVABLE]** <sup>[4]</sup> **[EO 14074]**

<sup>[5]</sup> The agency shall have a secure area(s) designated for the temporary storage of in-custody and evidentiary property during periods when the property room is closed or not accessible.

<sup>[6]</sup> Guidance: Temporary evidence/in-custody property storage is required to maintain the chain of custody and integrity of in-custody property/evidence when the main evidence/property facility is closed, unattended, or unavailable. The agency is free to determine the methods used. The agency needs to establish provisions for the temporary storage of perishable evidence. The key provision is that no one should have access to property and evidence that has been temporarily stored until claimed by the property/evidence custodian, with exceptions noted.

Keys to the lockers must be a type that cannot be reproduced without proper written authorization. Procedures for the temporary storage of property should require the officer to place the property into a locker compartment, lock, the locker and secure the key from reuse until released by the property/evidence custodian. The property officer, upon coming on duty, would remove the property from the sealed locker by using a master key. The property officer would then place the property items in the vault after following proper inventory and logging procedures.

At times, the storage capacity of temporary lockers, cabinets, etc., is at capacity. At times, property or evidence may be too large to secure in the lockers, cabinets, or areas provided for temporary storage. The agency should provide procedures to summon the property/evidence custodian in these cases.







## Standard Number

Each KLEAP Standard is assigned a number, based on the Standard topic, that is used to suitably assign placement of that standard within the KLEAP Standards Manual.

- The first digit(s) designates placement within the appropriate **Chapter**.
- The second digit designates placement within the selected **Section** of the appropriate Chapter.
- The third digit designates the **order** of the Standard within the selected Section.

## Standard Title

Each KLEAP Standard is titled in a manner that helps identify the basic purpose of the Standard.

## Standard Level of Compliance

Compliance levels are assigned as either [M] Mandatory or [O] Other than Mandatory.







Participating agencies are required to comply with all APPLICABLE Mandatory Standards; however, may elect to opt-out-of compliance with 25% of the Other-than-Mandatory Standards. When developing standards, KLEAP applies the following criteria to determine whether to designate a standard as mandatory:

- Standards dealing with life, health, and safety issues.
- Standards that require essential operational or administrative policies.
- Standards that relate to constitutional issues or are matters covered by applicable law.

Agencies are encouraged to strive for compliance with more than **100%** in case there are discrepancies with the agency's other-than-mandatory standards proofs of compliance.

## Standard Tags

Color-coded "tags" are included after the compliance level indicator. The purpose of the color-coded tag(s) is to assist agencies in easily identifying special requirements related to the standard. Below is a listing of KLEAP color-coded "tags" used:

-  **[TS]** – Time sensitive standard requirement(s) exist.
-  **[EO]** – Executive Order 14074 mandatory standard.
-  **[OBS]** – Observable - assessors will confirm compliance during the on-site assessment.
-  **[KSA]** - A Kansas Statute requires the adoption of a written policy by the agency.
-  **[DT]** – Associated Statistical Data Table must be completed.
-  **[TRG]** – Standard includes a training requirement(s).





## Standard Statement

The standard statement is a declarative sentence that places one or more specific requirements on an agency, referred to as a critical element. The standard statement is binding upon the agency. Many standard statements require the development and implementation of written directives, such as policies, plans, procedures, or rules. Other standards require an activity, report, or other action or observable condition. When a question about the meaning of a standard statement arises, it should be interpreted in a strict, literal manner.

## Standard Guidance

Although some standards are clear and concise and require no additional information to clarify their intent. Other standards are more complex therefore additional information with regards to the intent of the standard is provided in the form of a “Guidance” which may provide the following:

- An explanation as to why a particular standard is in place and how the standard will improve a certain function within the agency;
- Corresponding legal requirements such as Kansas Statute references;
- Historical information that may be pertinent to understanding the intent of the standard; or
- Offers suggestions or recommendations that may be included in a written directive to address that particular standard.

The Standard Guidance supports the standard statement and is non-binding. The agency has the latitude to determine how it will comply with applicable standards to effectively meet its needs.

## N/A by Function

Standards applicability is also determined by the functions performed by the agency. Not Applicable (N/A by Function) means the function is not performed by the agency, nor is someone else performing the function on behalf of the agency. It is possible that an agency will find that a Standard, a Bullet within a Standard, or even an entire Chapter is not applicable.

It is highly recommended that the agency’s Accreditation Manager consult with the KLEAP Program Director before designating a Standard as N/A by Function.





## Types of Standards

### Written Directive Standard:

The most common and broadest category of a standard is one that requires the preparation of a written directive. Agencies are asked to comply with certain standards by having a written directive, which can take many forms: rule, regulation, general or special order, policy, procedure, memorandum, or training material. *[See example 1 below]*

In addition to the words “written directive” appearing in some standard statements, a more specific category of the directive may be indicated by the words “policy,” “plan,” or “procedure.”

***Policy:*** A policy is a written broad statement of agency principles. Policy statements may be characterized by words such as “may” or “should” and usually do not establish fixed rules or set procedures for the conduct of a particular activity. A policy provides a framework for the development of procedures and rules and regulations. *[See example 2 below]*

***Plan:*** A plan is documented identification of methods to achieve desired goals or conditions. It is normally found outside the main written directive and is geared toward anticipated or contingent activities or tasks. *[See example 3 below]*

***Procedure:*** A procedure is a written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of shall rather than should, or must rather than may. Procedures sometimes allow some latitude and discretion in carrying out an activity. The word “*procedure*” will be italicized, helping to make it more noticeable. *[See example 4 below]*

### *Example 1:*

#### 1.1.2 Code of Ethics: [M]

A **written directive** requires all agency personnel abide by a code or canon of ethics adopted by the agency.

Guidance: All agency personnel should receive instructions that concern their position dilemmas, responsibilities, and duties. The International Association of Chiefs of Police (IACP); or the National Sheriff’s Association (NSA) Code of Ethics will satisfy the intent of this standard.





*Example 2:*

## 14.2.1 Personnel Training: [M] [TRG]

If temporary detention areas are utilized, any agency personnel who may monitor detainees are provided **initial training** on agency **policy** regarding the use of the temporary detention designated room(s) and/or area(s) and **in-service training at least once every four years**.

Guidance: This standard does not apply to detention or holding areas within court facilities or jails. To reduce complacency, officer safety issues should be a priority of the agency's initial and in-service retraining sessions. Agency training should address the resources that are available to personnel during the temporary detention and contingencies for dealing with unruly or combative detainees.

*Example 3:*

## 11.1.1 Critical Incident Plan: [M]

The agency has written **plans** for responding to all types of critical incidents, including but not limited to:

- a. Natural and man-made disasters;
- b. Civil disturbances;
- c. Bomb threats;
- d. Hostage/barricaded person situations; and
- e. Other unusual incidents.

Guidance: The intent of this standard is to ensure the agency has current plans in place and is prepared to respond to any disaster immediately. The adoption of the municipal, county, regional or State Emergency Operations Plan and the National Incident Management Systems (NIMS) may meet compliance requirements with this standard.

*Example 4:*

## 1.1.3 Consular Notification: [M]

A written directive governs **procedures** for assuring compliance with all consular notification and access requirements in accordance with international treaties when arresting or detaining foreign nationals.

Guidance: To ensure compliance with Article 36 of the Vienna Convention on Consular Relations that provides certain rights to foreign nationals. Law enforcement agencies in the United States can obtain relevant information and detailed guidance by consulting the U.S. State Department's publication entitled Consular Notification and Access.

Agencies are encouraged to refer to the [US State Department Sample Policy – Consular Notification](#), specially the definition for arrest or detention.





## Linked Standard:

Linked standards relate one standard to another for the purpose of demonstrating compliance with separate aspects of the same object. *[See example below]*

### 6.2.3 Annual Analysis of Use of Force Reporting: [M] [TS] [DT]

The agency conducts an **annual analysis** of its use of force reports, **completed in accordance with standard 6.2.1**, and the agency policies and procedures. The annual analysis at a minimum should identify:

- a. Day and time incident occurred;
- b. Types of incidents resulting in the use of force;
- c. Trends or patterns related to race, age, gender, reason for contact, and location of subjects involved;
- d. Trends or patterns of injuries to any subjects or employees involved; and
- e. Any influence of findings on policies, procedures, training, and equipment.

Guidance: The intent of the analysis is to determine if there are patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications.

## Multi-Requirements (Bulleted) Standards:

Many of the KLEAP standards have multiple requirements, although all related to a single topic. Multiple requirements or “bulleted” standards are expressed with a list of alphanumeric designated subcomponents. *[See example below]*

### 8.1.2 Agency Animals: [M] [TRG]

If the agency has agency-owned or controlled animals, a written directive establishes at a minimum the following procedures:

- a. Authorization required for their use;
- b. Statement of objectives, conditions, and limitations for use of the animal;
- c. Qualifications and **training for personnel assigned as the controller/handler**;
- d. Designation of the position responsible for 24-hour care of the animal; and
- e. Provisions for the collection and retention of deployment data.

Guidance: Specific procedures should be established for each applicable use of police canines, including searching for and apprehending suspects, searches for missing persons, narcotics/explosive detection, comfort/therapy use, or any other purpose designed by the agency. All training should be conducted by a certified trainer.





## Conditional Standards:

A number of KLEAP standards contain a conditional requirement. A conditional standard statement begins with “if”. *[See example below]*

### 8.1.2 Agency Animals: [M] [TRG]

**If** the agency has agency-owned or controlled animals, a written directive establishes at a minimum the following procedures:

- a. Authorization required for their use;
- b. Statement of objectives, conditions, and limitations for use of the animal;
- c. Qualifications and **training for personnel assigned as the controller/handler**;
- d. Designation of the position responsible for 24-hour care of the animal; and
- e. Provisions for the collection and retention of deployment data.

Guidance: Specific procedures should be established for each applicable use of police canines, including searching for and apprehending suspects, searches for missing persons, narcotics/explosive detection, comfort/therapy use, or any other purpose designed by the agency. All training should be conducted by a certified trainer.

## Observable Standard:

These standards are those for which compliance is determined by observation and are identified by the phrase “OBSERVABLE.” Photos shall be included in the file for compliance off-site. *[See example below]*

### 8.3.1 Emergency Lights and Siren: [M] [OBS]

A written directive specifies that vehicles routinely used in police patrol services, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and a siren in accordance with state law.

Guidance: Conspicuously marked patrol vehicles are easily identified as police vehicles from every view even at night. It is also recommended that patrol vehicles be equipped with a PA system, exterior spotlights, and alley lights. Agencies may refer to K.S.A. 8-1720, and K.S.A. 8-1738.





## Time Sensitive / Activity Required Standards:

Standards that require specific actions may also have recurring timelines known as a time sensitive standard. Examples include annual, semi-annual, quarterly, monthly, or weekly reports. The time sensitive activity may be a documented report, review, analysis, inspection, test, survey, audit, or inventory. These standards are CRITICAL to the process and task reminders should be employed to ensure continued compliance as prescribed. The activity may or may not require a written directive. *[See example below]*

### 18.2.2 Alternate Power Source: [M] [TS]

The agency's communication function (or its provider if not within the agency) maintains an alternate source of electrical power that is sufficient to ensure continued operations of emergency communications equipment in the event of the failure of the primary power source. The agency shall ensure:

- a. The operational readiness of the alternate source of power by **monthly** scheduled and documented **inspections and tests**, or in conformance with manufacturer recommendations; and
- b. Documented **annual tests** operating the alternate power source under a full load.

Guidance: Ensuring continuous emergency communications capability through the use of an alternative power source is critical to the public safety communication function's mission. Its state of readiness should be ensured by testing the alternative power source on a reasonable basis (i.e., monthly) to help ensure the agency is prepared for any power interruption.





## Gaining Compliance with Standards

Agencies document their achievement of compliance with the standards during the self-assessment process. During this time, agencies should ask themselves whether they comply with all applicable mandatory standards. If an agency determines that it is not in compliance with a particular mandatory standard, it must take appropriate action to bring its agency into compliance. If an agency is prohibited from complying by state statute, case law, court order, or other compelling reasons, the Kansas Accreditation Council may consider the agency's request for a waiver. It should be noted that granting waivers will be a rare event, they will only be granted in the most exceptional circumstances. Waivers are only provisionally granted by the KAC, pending the on-site assessment by KLEAP Assessors, who are instructed to confirm the agencies' representations about the Waiver request and report their findings to the KLEAP Manager. Any Waiver granted is good for one (1) accreditation cycle only.

When the agency completes its self-assessment, the KLEAP Director will review all required paperwork and determine if the agency is ready for the on-site assessment to be scheduled.







## The Kansas Accreditation Council - View of the Standards:

1. Standards are designed to reflect the best professional practices in all areas of law enforcement to include: management, administration, operations, and support services.
2. Standards are designed to reflect “**what**” an agency must do, leaving “**how**” up to the agency.
3. Standards are designed so that compliance is attainable. Compliance may not be easily obtained for some agencies, albeit the standards are not considered to be an unreasonable burden for any well-managed law enforcement agency.
4. Candidate agencies should realize that every accreditation process is a test for the standards and process as well. The KAC relies heavily upon the critique surveys completed by the agency and the assessment team after each on-site assessment. These surveys are used as a tool for the KAC to reevaluate the standards and the ongoing accreditation process.
5. New or revised standards reflecting current practices may be developed; these standards are developed with input from the agencies, assessors, and law enforcement professional partners.

## Standards Interpretation

The KLEAP Director is available for providing informal interpretations of the standards. In the majority of cases, an interpretation issue can be resolved by a call to the KLEAP Director. As soon as it becomes evident standards interpretation issues cannot be resolved by KLEAP staff, it is important to seek a formal interpretation from the Kansas Accreditation Council (KAC) during their regularly scheduled meetings.





## Addendum D – File Construction & Sharing

### *File Construction & Sharing*

Step-by-Step instructions, with detailed illustrations, for KLEAP electronic accreditation file construction and file sharing is accessible in the **Mastering KLEAP File Construction via Adobe Acrobat Pro** training modules posted on the [KLEAP Website](#).

Agencies needing assistance in file construction are highly encouraged to reach out to one of the trained File Construction Subject Matter Experts (SMEs). Their contact information is available on the [KLEAP Website](#).



### *Initial Accreditation*

For the initial accreditation 3-year assessment period, the Accreditation Manager should emphasize, through documentation, those “systems” the agency uses for organization, management, operations, and support services. This will allow Assessors to make objective judgments concerning the relative effectiveness of agency systems or how well the agency is likely to perform in certain areas, particularly when agency procedures may be relatively new. For initial accreditation only 1-year worth of proofs is required in the file as denoted in the KLEAP Accreditation Tracker.

### *Reaccreditation*

Reaccreditation is a 4-year period. Files will contain 4 years’ worth of proofs. The Accreditation Manager should build files that focus on the “performance” of the agency. This is particularly true for any standards identified during the previous assessment as having compliance issues. Preparation of appropriate documentation for ALL time sensitive reports or activities is the key to a successful reaccreditation assessment. Agencies are highly encouraged to utilize the KLEAP Accreditation Tracker to help manage all aspects of the accreditation process.





## Reaccreditation Filing Building

1. It is highly recommended the agency save their initial accreditation files.
2. A copy of each file may be used to start file building the agency's Reaccreditation files.
3. Initial accreditation proofs, labeled as YR1, should remain in the file. Reaccreditation files will include 4-years' worth proofs. *(See table below)*
4. Written Directive(s) only need to be replaced if they are revised.

Initial Accreditation (3-year period)		Extensions may be granted during initial accreditation only!	
Accreditation Period	Label Proofs		
Year 1 – 3	YR1		
1 <sup>st</sup> Reaccreditation (4-year period)		Your goal is to have 4-years' worth of proofs in your accreditation file.	
Accreditation Period	Label Proofs	Adding Proofs	Current Proofs in File Should Be:
1 <sup>st</sup> Year Reaccreditation	YR2	Add YR2	YR1, YR2
2 <sup>nd</sup> Year Reaccreditation	YR3	Add YR3	YR1, YR2, YR3
3 <sup>rd</sup> Year Reaccreditation	YR4	Add YR4	YR1, YR2, YR3, YR4
4 <sup>th</sup> Year Reaccreditation	YR5	Add YR5, delete YR1	YR2, YR3, YR4, YR5
2 <sup>nd</sup> Reaccreditation (4-year period)		You must always have 4-years' worth of proofs in your accreditation file.	
Accreditation Period	Label Proofs	Adding Proofs	Current Proofs in File Should Be:
1 <sup>st</sup> Year Reaccreditation	YR6	Add YR6, delete YR2	YR3, YR4, YR5, YR6
2 <sup>nd</sup> Year Reaccreditation	YR7	Add YR7, delete YR3	YR4, YR5, YR6, YR7
3 <sup>rd</sup> Year Reaccreditation	YR8	Add YR8, delete YR4	YR5, YR6, YR7, YR8
4 <sup>th</sup> Year Reaccreditation	YR9	Add YR9, delete YR5	YR6, YR7, YR8, YR9

**\*Annually, the Agency's Accreditation Manager will receive a list of standards selected for remote file review by the KLEAP Program Director, or designee.**

### Guidelines for Proving Compliance with Standards

Regarding file maintenance issues, there are two types of standards:

- Time Sensitive
- Non-Time Sensitive

Time Sensitive Standards require an activity or action to occur during a specified time interval or upon the occurrence of an incident. These standards require documentation such as a review, analysis, report, evaluation, training, or other activities listed in the standards or your agency directives. **If your agency's written directive exceeds the requirement of the standard, you must provide proofs in compliance with your agency's written directive.**

Guidelines for file maintenance minimums are provided in the KLEAP Accreditation Tracker and the chart below. The chart states minimums only and assumes that the proofs offered in the file adequately address





the intent of the standard or standard bullet being reviewed. As with the proofs of compliance, the key to adequate compliance depends on the quality of the information being offered for review. minimum

<i>Frequency Required by DIRECTIVE and/or KLEAP STANDARD</i>	<i>Recommended MINIMUM in File for EACH YEAR</i>	<i>Recommended TOTAL MINIMUM in File</i>
<i>Per Incident</i>	1	4
<i>Daily</i>	2	8
<i>Weekly</i>	2	8
<i>Monthly</i>	2	8
<i>Quarterly</i>	2	8
<i>Semi-Annual</i>	1	4
<i>Annual</i>	1	4
<i>Biennial</i>	1	2*
<i>Quadrennial</i>	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 requirements.)





## Addendum E – Standard Numbers by Compliance Level & Tags

8 Other Than Mandatory	27 [TS]	7 [OBS]	20 [EO]	6 [KSA]	10 [DT]	16 [TRG]
2.1.1	1.2.5	8.3.1	1.2.5	1.2.2	1.2.6	1.2.6
2.9.1	1.2.6	15.2.1	1.2.6	1.2.6	3.4.1	6.3.3
2.10.1	2.6.1	15.4.1	1.2.7	8.3.7	4.1.4	7.2.1
16.1.1	2.7.1	15.4.2	1.2.8	8.3.8	5.1.3	7.2.2
17.1.1	2.10.1	18.1.2	3.2.3	8.3.9	5.2.1	7.3.1
20.1.2	3.1.1	18.2.1	3.5.1	9.2.2	6.2.1	8.1.2
20.2.3	3.5.1	22.1.2	4.1.1		8.2.2	8.3.6
22.1.6	4.1.4		4.1.4		12.1.1	8.3.7
	6.2.1		5.1.3		20.1.3	11.2.1
	6.2.2		5.1.5		20.1.4	11.3.1
	6.2.3		5.2.1			14.2.1
	6.3.3		6.1.1			15.6.3
	8.2.2		6.1.2			15.9.1
	14.1.3		6.1.3			23.1.3
	15.3.1		7.2.2			23.1.6
	15.3.2		8.3.6			23.3.1
	16.1.3		16.1.4			
	16.1.4		22.1.1			
	18.2.2		22.1.2			
	20.1.3		22.1.3			
	20.1.5					
	22.1.5					
	22.1.8					
	23.1.1					
	23.1.6					
	23.1.7					
	23.4.1					





## Addendum F – Evidence Quality Control Inspections

### Per Incident Audit

An accounting of each “high-risk” category in the amount of 75% of the category total or (100) items, whichever is less; and in addition, 25% of the total or fifty (50) items, whichever is less, of the all other in-custody/evidentiary items in the possession of an agency.

<i>Evidence Category</i>	<i># of items to be reviewed</i>
<i>HIGH-RISK ITEMS</i>	
<i>*Drugs</i>	75% of the total <i>or</i> 100 items whichever is less
<i>*Guns</i>	75% of the total <i>or</i> 100 items whichever is less
<i>*Money</i>	75% of the total <i>or</i> 100 items whichever is less
<i>*High-Valued/Sensitive</i>	75% of the total <i>or</i> 100 items whichever is less
<i>GENERAL EVIDENCE</i>	
<i>All other items</i>	25% of the total <i>or</i> 50 items whichever is less
<b><i>*An error rate that exceeds 10% will require a complete inventory of high-risk items.</i></b>	

### Unannounced Annual Inventory

An accounting of each “high-risk” category in the amount of 10% of the category total or (15) items, whichever is less; and in addition, 25% of the total or fifty (50) items, whichever is less, of the all other in-custody/evidentiary items in the possession of an agency.

<i>Evidence Category</i>	<i># of items to be reviewed</i>
<i>HIGH-RISK ITEMS</i>	
<i>Drugs</i>	10% of the total <i>or</i> 15 items whichever is less
<i>Guns</i>	10% of the total <i>or</i> 15 items whichever is less
<i>Money</i>	10% of the total <i>or</i> 15 items whichever is less
<i>High-Valued/Sensitive</i>	10% of the total <i>or</i> 15 items whichever is less
<i>GENERAL EVIDENCE</i>	
<i>All other items</i>	25% of the total <i>or</i> 50 items whichever is less





## Addendum G – Statistical Data Tables

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The agency collects statistical data related to standards as a tool to determine policy effectiveness and to promote outcomes based on operating practices. The following standardized tables will be used to collect such data. A brief explanation is included with each table in the Statistical Data Tables spreadsheet.

The status of the candidate agency's statistical tables is part of the Annual Report of Compliance and will need to be current for assessor review during the on-site assessment. Fillable tables are available in the KLEAP Accreditation Tracker.

**Initial Accreditation:** Only one (1) year of data is required.

**Reaccreditation:** Four (4) years of data is required.

The following are the designated race categories:

- White Non-Hispanic
- Black Non-Hispanic
- Hispanic-Latino – any Race
- Other – includes:
  - American Indians,
  - Alaskan Natives,
  - Asians,
  - Native Hawaiians,
  - Other Pacific Islanders, and
  - Persons of two or more races.

Below is a listing of all required Statistical Data Tables and instructions for completion. Some of the tables have graphs built-in to make information easier to visualize.

### 1. **Biased Policing Complaints: [KLEAP 1.2.6 d]**

Traffic Contacts: Includes all complaints of bias-based related traffic stops whether or not a citation or warning was issued.

Field Contacts: Includes all complaints of bias-based related to citizen contacts during field interviews, investigative stops, etc.

Asset Forfeiture: Includes all complaints of bias-based related cases of criminal or civil asset forfeiture.





## 2. **Formal Grievances: [KLEAP 3.4.1 e]**

Include all formal complaints made by employees related to working conditions, wages, benefits, etc.

## 3. **Population & Demographics: [KLEAP 4.1.4 a]**

Agencies are encouraged to utilize Bureau of Justice Statistics and the United States Census Bureau websites as resources in defining data points. It is understood that data points may vary by county.

## 4. **Agency Breakdown of Sworn Positions: [KLEAP 4.1.4 a]**

Provide numerical data for categories given. Only include the number of full-time sworn assigned to the law enforcement function.

## 5. **Personnel Actions: [KLEAP 5.1.3 e]**

Suspension: Includes any loss of work hours or docking of pay as a result of disciplinary action.

Demotion: Includes any loss of rank, position, or assignment as a result of disciplinary action.

Resignation in Lieu of Termination: Means anytime an employee resigns their position rather than face disciplinary action.

Termination: Includes the discharge, termination or firing of an employee as a result of disciplinary action.

Other: Includes verbal or written warnings, reprimands, counseling, or other actions not otherwise categorized.

Total: Includes the total number of the above personnel actions.

## 6. **Complaints and Internal Affairs Investigations: [KLEAP 5.2.1 a]**

External/Citizen Complaint: The total number of complaints against the agency or its employees submitted by citizens or organizations outside of the agency.

Internal/Directed Complaint: The total number of complaints against the agency or its employees submitted by a member of the agency or initiated by the agency.

Sustained: The total number of citizen complaints which were determined to be valid and either the agency or its employee(s) is responsible for some causal act or omission.

Not Sustained: The total number of citizen complaints which were determined to be valid; however, it could not be determined whether or not the agency or its employee(s) were responsible for some causal act or omission.







Unfounded: The total number of citizen complaints which were determined not to be valid (aka the situation described did not occur).

Exonerated: The total number of citizen complaints which were determined to be valid; however, the agency or its employee(s) acted appropriately.

## 7. Use of Force: [KLEAP 6.2.3 a – d]

Firearms: Includes the total number of display and actual discharge of pistol, rifle or shotgun by an agency member on or off duty; excluding training sessions, recreational shooting, hunting or euthanizing an animal.

Firearm Discharge: Includes the actual firing or discharge of a pistol, rifle or shotgun by an agency member on or off duty; excluding training sessions, recreational shooting, hunting or euthanizing an animal.

Firearms Display: Includes pointing a pistol, rifle or shotgun by an agency member on or off duty for the purpose of using force for defensive actions; excluding training sessions, recreational shooting, hunting or euthanizing an animal.

Electronic Conductive Weapons: Includes the total number of display and actual discharge of an Electronic Conductive Weapon, such as Taser or similar device on another person.

ECW Display: Includes pointing of an Electronic Conductive Weapon, such as Taser® or similar device on another person for the purpose of using force for defensive actions.

ECW Discharge: Includes the actual deployment or discharge of an Electronic Conductive Weapon, such as Taser or similar device on another person, excluding discharges conducted during training sessions.

Baton: Includes the actual use of a fixed or expandable baton, and use of any other item in a similar manner as a baton (i.e. flashlight, etc.) to strike another person, excluding training sessions.

Chemical/OC: Includes the discharge of any chemical (CS, CN) or oleoresin capsicum (OC) weapon, such as aerosol, liquid or powder, regardless of dispersal method (i.e. spray, launched munition, hand thrown device, etc.) on another person(s), excluding training sessions.

Weaponless: Includes the actual use of any physical force to control another person, such as pressure points, joint manipulation, take-downs, punches, kicks, etc.

Canine: The total number of canine releases and the total number of releases with bites.





Total Uses of Force: Total of the above use of force numbers, exclude the number of suspect injuries/fatalities.

Total Number of Incidents Resulting in Officer Injury or Death: The total number of incidents resulting in officer injury or death.

Total Use of Force Arrests: The total number of custodial arrests related to incidents where the above force was used.

Total Number of Suspects Receiving non-Fatal Injuries: The total number of non-fatal injuries, by race and gender, of all uses of force.

Total Number of Suspects Receiving Fatal Injuries: The total number of fatal injuries, by race and gender, of all uses of force.

Total Agency Custodial Arrests: The total number of custodial arrests made by the agency.

Use of Force Complaints: The total number of uses of force complaints levied against the agency.

## 8. Motor Vehicle Pursuits: [KLEAP 8.2.2 I]

Pursuits: The total number of motor vehicle pursuits occurring during the annual period.

Forcible Stopping Techniques Used: The total number of forcible stopping techniques used to terminate pursuits.

Terminated by Agency: The total number of motor vehicle pursuits during the annual period which were terminated or ceased based on the employees own judgment or that of a supervisor.

Policy Compliant: The total number of motor vehicle pursuits during the annual period that were in compliance with the agency's written directives.

Policy Non-Compliant: The total number of motor vehicle pursuits during the annual period which were not in compliance with the agency's written directives.

Collisions: The total number of collisions or crashes that resulted from or related to motor vehicle pursuits during the annual period.

Officer Injuries: The total number employees injured as a result of or related to motor vehicle pursuits during the annual period.

Suspect Injuries: The total number suspects injured as a result of or related to motor vehicle pursuits during the annual period.





Third Party Injuries: The total number of people, other than employees or suspects, injured as a result of or related to motor vehicle pursuits during the annual period.

Reason Initiated: If there are multiple charges, count only the most serious charge.

Traffic: The total number of motor vehicle pursuits initiated due to traffic related offenses.

Felony: The total number of motor vehicle pursuits initiated due to a felony or serious crime.

Misdemeanor: The total number of motor vehicle pursuits initiated due to a misdemeanor or minor crime.

## 9. Traffic Contacts: [KLEAP 12.1.1 b, c]

Warnings: A documented contact resulting in a verbal or written warning for traffic violation.

Citations: A traffic related contact that results in the issuance of a non-custodial citation or summons.

## 10. UCR/NIBRS Part 1 Crimes: [KLEAP 20.1.3]

## 11. Calls for Service: [KLEAP 20.1.4 b]

The number of criminal and non-criminal incidents reported to the law enforcement agency.





## Addendum H – Transition Policy

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The Kansas Accreditation Council is committed to excellence in maintaining standards that ensure the highest level of professionalism and conducts periodic reviews and evaluations of the KLEAP Standards.

Upon approval of Standard revisions via the release of an updated Edition (i.e., 2<sup>nd</sup> Edition – 2.1 Edition) agencies will have a one (1) year “Transition Period” to become compliant with revised or new standards.


Upon the release of a “new” Edition Manual (i.e. 1<sup>st</sup> Edition – 2<sup>nd</sup> Edition) agencies may complete their current accreditation process under the Standard Manual Edition they began the process on. Upon the start of their next reaccreditation process they must come into compliance with the most current Standards Manual Edition released.

Agencies may NOT interchange standards from one edition to another. Agencies must notify the KLEAP Director of their Edition choice at least 90 days prior to their scheduled assessment. Only the standards in the selected edition will be used to assess the agency.

All new agencies signing their Agency Participation Agreement on or after the date of a new manual edition being published will be required to use the newer edition exclusively.

The KAC is authorized to grant exceptions and/or extensions to this transition policy on a case-by-case basis.

 **KLEAP 1<sup>st</sup> Edition Standards Manual – Approved July 2022 – 167 Standards**

 **KLEAP 2<sup>nd</sup> Edition Standards Manual – Approved August 22, 2024 – 173 Standards**

To view a comprehensive breakdown of the changes from the 1<sup>st</sup> Edition to the 2<sup>nd</sup> Edition agencies shall refer to the **Crosswalk - 1<sup>st</sup> Edition to 2<sup>nd</sup> Edition** on the [KLEAP Website - Manuals](#).

