

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

**Texas Police Chiefs Association's
Best Practices Recognition Program:
The Preferred Accreditation Program for Small Texas Police Agencies**

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ABSTRACT

The problem addressed in this research paper is finding an accreditation program that is affordable and available to law enforcement agencies in Texas, no matter the size of the agency. It has become a requirement for police officers from one agency to assist another agency in their time of need. Policies and procedures should be similar from one agency to another to assist in this task. The Texas Police Chiefs Association's Texas Best Practices Program (TBP) addresses these areas and should be the preferred accreditation program for small Texas agencies. Research was conducted using the internet, research papers, newsletters, and the Texas Police Chiefs Association TBP Manual. TBP was designed with the goal of making the Best Practices Recognition Program available and affordable to all law enforcement agencies in Texas. The Commission on Accreditation for Law Enforcement Agencies (CALEA) was started in 1979 on the national level and has not been able to accredit very many small agencies in Texas due to costs and requirements. Both programs address many of the same critical areas; however, only TBP provides agencies with lower costs, more resources, and evaluators that are from Texas. Research will show that departments that have no policies in place are at greater risk of liability. With the ever higher threat of litigation to law enforcement agencies and accreditation programs that are too costly and not centered on Texas law enforcement, TBP should be the preferred accreditation program for small Texas police agencies.

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INTRODUCTION

With natural disasters like tornados and hurricanes and man-made disasters, such as terrorist attacks, it has become a requirement for police officers from one agency to assist another agency in their time of need. Policies and procedures should be similar from one agency to another to assist in this task. Several programs have been derived to accomplish this task. The Commission on Accreditation for Law Enforcement Agencies (CALEA) was started in 1979 on the national level, and Texas Police Chiefs Association's Texas Best Practices Recognition Program (TBP) was started for the Texas level in 2007. Out of over 13,000 law enforcement agencies in the United States with under 50 officers (Reaves, 2007), CALEA has been only able to accredit 28 agencies and only four are west of the Mississippi in this category (Cordner & Gordon, 2010). Since the inception of TBP in 2007, they have accredited 31 agencies in Texas. Cordner and Gordon (2010) stated that small law enforcement agencies face tough challenges, including cost/budgetary restrictions and personnel, as they aspire to CALEA accreditation for a variety of reasons. TBP should be the preferred accreditation program for small departments in Texas. There are three major reasons why the TBP should be the preferred program: TBP is designed for Texas law enforcement needs as well as national standards; TBP has fewer requirements and more ways to assist agencies in gaining compliance; and the costs of TBP are minimal when compared to the CALEA program.

POSITION

The Texas Best Practices Recognition Program (TBP) was designed with the goal of making the best practices program available and affordable to all law

enforcement agencies in Texas (Price, 2010). TBP has a requirement that agencies entering the program must complete the process within two years. Vasquez (2009) stated that the San Angelo Police Department was able to complete the process in less than a year. The Mount Pleasant, Texas police department, with 31 sworn officers, started the process on July 15, 2008 and received Recognition Status on October 29, 2008 (Price, 2009b). Price (2010) stated that TBP provides a number of things to assist small Texas agencies to achieve Recognition; the most important is a specially designed Sample Policy Manual and a Patrol Standard Operating Procedure that can be edited and adapted for small departments. The Sample Manual meets all TBP standards. CALEA does not offer this service. On the TBP website, there are also individual sample policies for use by all departments. The Texas Best Practices or standards are available for download from the program website and are provided to all agencies at no charge.

TBP has mandatory training for all chiefs and program managers. The chief's training is about an hour long, and the program manager's training is about three hours. This training is provided free of charge throughout the state. CALEA first requires an agency to purchase its Standards for Law Enforcement Agencies Manual, and then the agency must do a self-assessment (CALEA, 2010). The department must also attend a CALEA conference for training. These conferences are held throughout the country, and the registration and travel fees are significant. CALEA also recommends that key council members, mayors, managers, law enforcement CEO's, command staff, or the designated program manager attend. This can significantly increase the cost for smaller departments.

The citizens of Texas require a well-educated and trained law enforcement force to protect them. The aftermath of the Rodney King beating has required that law enforcement agencies keep a closer watch on their officers through stricter policies and procedures. TBP not only addresses these issues but also expands upon them. TBP addresses twelve sensitive areas for all law enforcement agencies. Five of these areas are administration and organization; professional standards and conduct; training; use of force; and arrestee processing and transport. TBP has 163 directives that must be addressed compared to the 463 directives in the CALEA program. These twelve areas addressed by the best practices are the most high-risk operations for a police department and must be the most supervised and controlled portions. These standards not only better protect the department but also the officers. Many small agencies have only minimal policies, which do not give the officers guidelines for all critical tasks. Once policies have been developed by the department that meet TBP standards, the officers have protection as long as they operate within the guidelines.

McCaleb (2009) stated that TBP raises the bar of professionalism for any agency, regardless of size, by promoting the best practices in areas of administration, professional conduct, training, and use of force. TBP addresses a department's method of handling calls all the way to how they collect and store evidence. With the built in checks and balances, the chance of mismanagement or the loss of evidence or vital information is significantly diminished.

TBP has also added several convenient ways for departments to submit their policies and required documents. The first is an online submission, and the second is a mail-in submission. These options allow for "almost two-thirds of the standards to be

submitted electronically and accepted prior to the Final Review” (Texas Police Chiefs Association, 2008, p. 8). These processes help the departments in two ways. The Texas Law Enforcement Recognition Program Manual (Texas Police Chiefs Association, 2008) states that, “First, it allows the agency immediate feedback on the standard and any changes or additional proof needed can be submitted at their leisure” (p. 8). The second way it assists agencies is by reducing the final review from three days down to two days. A reduction of days on-site is a cost savings to the affected agencies. TBP also offers a third option called the full review method, which is a complete on-site inspection (Price, 2010). This is the only option offered by CALEA. Agencies wanting a complete on-site inspection should plan on the assessors to be on-site for three days in TBP and six days in the CALEA program. Late in 2010, TBP added the option of going paperless with the program’s files for agencies.

One of the major complaints of the CALEA system is the lack of consistency between assessors. This issue was clearly a concern during the development of TBP, and the recognition committee decided to ensure consistency by having all team leaders trained personally by a single qualified trainer (Price, 2009a). Under the CALEA program, the assessors are from all over the country, and they have no specific training for the requirements for Texas (Price, 2010). TBP assessors are, for the most part, police chiefs or command staff personnel for police departments in the State of Texas.

Costs associated with either CALEA or TBP are often the main concern of any police department when considering these programs. In an article by Alsabrook, Aryani, and Garrett (2001), it was stated that law enforcement organizations may want to consider accreditation as a means of quality control during budget crises. CALEA

indicated the cost associated for departments with 1 to 24 officers is \$16,590. These fees include three installment payments, on-site fees, and annual continuation fee. For 25 to 199 officers, the same costs total over \$20,305 (CALEA, 2010). The TBP fees for agencies with 1 to 10 officers is \$1,500, agencies with 11 to 25 officers is \$2,000, and agencies with 26 to 50 officers is \$3,400. These fees include the initial fee, on-site fee, and an annual fee. These comparisons show that departments with 24 or fewer officers can save over \$14,950 by going through the TBP instead of CALEA in administrative costs alone. Departments with over 25 officers can save over \$16,905.

In the article on the CALEA website, Cordner and Gordon (CALEA, 2010) stated that small law enforcement agencies face tough challenges as they aspire to CALEA accreditation for a variety of reasons including cost/budgetary restrictions and personnel. They further stated that the direct cost associated with CALEA fees, attendance at CALEA conferences, and on-site assessment expenses represents a big budget item in a small agency. Going along with this statement, Vasquez (2009) stated that CALEA accreditation was too costly, very difficult to achieve, and seemed to be out of reach for the San Angelo, Texas police department. TBP gave them access to the best practices program at a fraction of the cost.

In the review of documentation, it was discovered that CALEA information listed the need for a full-time accreditation manager for agencies in the CALEA program. Cordner and Gordon (2010) stated that most small agencies cannot assign one or two people full-time to the accreditation efforts, and in the smallest agencies, the only staff is the chief and some officers. Dyer (2005) stated that the cost of the CALEA program starts with at least one full time employee committed to nothing but the accreditation

process. Many small departments cannot support an employee or hire an extra employee to work full time on an accreditation project. King (1997) wrote that a department going through the CALEA program needs a full time accreditation manager in the chain of command who holds a rank that enables them to delegate responsibilities to others to accomplish accreditation. An officer in the chain of command of most departments is one of the higher paid officers, which only costs the department more during this process.

The program manager for the TBP program also needs to be able to delegate responsibilities and needs the support of the administration, but these responsibilities do not require a full-time position. The reason this full-time position is needed in the CALEA program is because of its requirement that each standard have proofs in the file for each year an agency is accredited. This requires staff to locate, copy, and even create proofs for each file each year. The TBP only requires documentation the first year and then again the fourth year. To maintain recognized status, the agency must submit several reports on use of force, pursuits, and profiling annually (Price, 2010). Most program managers in TBP have been sworn officers, ranging from sergeant to assistant chief, and some have been non-sworn program managers. Nacogdoches hired a college intern to be its program manager, and she did an outstanding job, but non-sworn managers must have the assistance of the chief or other command level officers (Price, 2010).

COUNTER POSITION

Some might ask why an agency should have to use either program. If an agency did not participate in either program, it would not have to pay either program's costs or

have an accreditation manager. Ryan (2008) stated that what raises the level of “professional standards lowers the chances for liability and what lowers the chances for liability raises the professional standards of the organization” (p. 1). Both organizations’ main goal is to improve the professional standards of law enforcement agencies.

Lawsuits over the years have shown that departments that do not have policies in place are setting themselves up for major damages awarded on behalf of the courts to the plaintiffs. Reiter (2006) stated “many lawsuits filed against law enforcement agencies involve allegations that the agency has improper policies” (p. 2), and this deficiency led to the violation of rights. These programs address these areas, and they mandate that such policies be in place before a department can become accredited.

In the case of *Vineyard v. County of Murray, Georgia* (1993), the courts found that Vineyard’s claim against Murray County was much like that of the court in the Canton case. In *Canton v. Harris*, Harris alleged “violations of her right to receive necessary medical attention while in police custody” (p. 8). The Vineyard case centered on the police using physical force against Vineyard while he was handcuffed to a hospital bed. The Supreme Court found deliberate indifference on the part of the police agency for failure to adequately train its personnel. While the plaintiff in Canton presented a claim of inadequate training, in Vineyard, there were claims that the county had inadequate policies for training, supervision, and discipline. The court instructed the jury that the appropriate standard to apply is one of deliberate indifference (*Vineyard v. County of Murray*, 1993). In the case of *Vineyard v. County of Murray, Georgia* (1993), other inadequacies in policy were presented by Vineyard that included that

though the sheriff had been in office for years, there was been no policies and procedures manual.

In another case, *Giles v. City of Johnson City* (2008), it was stated that Johnson City released photos of suspects arrested in a sex sting. The department had no policy and had not released photos in such a manner before and was sued by one or more of the arrestees. In these cases and many more, police departments that do not have policies, procedures, and training in place that are equal to the industry standards will find themselves on the losing end of lawsuits. Law enforcement can take steps to avoid threats of litigation by simply strengthening policy, training, supervision, and discipline (Ryan, 2008).

Others might say that CALEA's program should be used across the country by all departments since it is nationally recognized. Levine (n.d.) stated that CALEA has accredited 532 agencies in the United States after 20 years of being in service. The CALEA website states that they have hardly been able to accredit any of the small agencies across the country (Cordner & Gordon, 2010). In the state of New York, the local departments started the first state accreditation program in 1989 (Price, 2009c). They have accredited 130 agencies and have another 119 in the process of becoming accredited. The Kentucky State Accreditation Program is the second oldest program in the country, and it was started in 1990 (Price, 2010). They have accredited 91 agencies, with another 140 agencies in the process. TBP was modeled very closely after the Kentucky Program, and TBP has accredited 31 agencies, with another 38 agencies in the process (Price, 2010). In Kentucky, CALEA has accredited one small agency, one in Texas, and none in New York (Cordner & Gordon, 2010). In states with

or without state recognition programs, CALEA has not been the choice of small agencies.

Since TBP has so many things to help agencies through the process, it may seem like everyone makes it through; therefore, it must be too easy. Price (2010) stated that every agency in TBP has had to make changes in their policies and operations. Price (2010) further stated, "If someone said it was too easy, I guess we would have to say that they must have excellent policies and operations" (p. 1). Price (2010) added that several agencies have had to withdraw because of various reasons due to not being able to complete within the two-year period. Reasons range from having to assign a sworn program manager to more pressing duties, such as recruiting and hiring, or filling unexpected vacancies, the city manager wanting to rewrite all the city policies first, or in some cases, just not putting a high enough priority on getting it done. Most agencies have been able to finish in a 12 to 15 month time frame if they have not started on it before they apply. Agencies like Mount Pleasant, that started working on their policies before they applied, went much faster (Price, 2010).

RECOMMENDATION

The purpose of this paper is to answer the question of whether the Texas Police Chiefs Association's Texas Law Enforcement Best Practices Recognition Program (TBP) is a better program for small police agencies in Texas than the Commission on Accreditation for Law Enforcement Agencies (CALEA) program. This paper has shown many points that reveal that the answer to the question should be yes. There are 2,341 agencies in Texas with fewer than 50 sworn officers. These departments are in dire need of a program that is rooted in Texas. CALEA is a national organization with

assessors from across the country. The TBP program was designed by Texas police chiefs for Texas departments. CALEA has been unable to accredit many small agencies in states where there is a state accreditation program. CALEA's own research showed that they have accredited only 1% of the agencies in the country with fewer than 24 officers (Cordner & Gordon, 2010).

Leible (2003) stated that CALEA must re-evaluate itself and become more outcome-oriented and less process driven. CALEA's goal should be to positively impact the police culture, which, in turn, will do more to professionalize law enforcement than any written standard could possibly achieve. There is a definite need and place for accreditation in law enforcement, but it must correlate to outcome-based results. TBP has kept these principles in mind by keeping the requirements to a minimum. TBP has 163 directives that must be addressed compared to the 459 directives in the CALEA program. TBP also has many ways of helping agencies along the way that CALEA does not, like an online sample policy manual, a user group, and several methods to send in proofs.

As agencies are asked to do more with less in their budgets, TBP gives them an accreditation program at a minimal cost compared to the CALEA program. Vasquez (2009) stated that the TBP accreditation has shown the citizens of San Angelo and their city leaders that their police department is a professional police organization that will provide a quality police service with the most widely accepted policies and procedures in law enforcement today. Vasquez (2009) stated that the CALEA accreditation was too costly, very difficult to achieve, and seemed to be out of reach.

Ryan(2008) stated that “what raises the level of professional standards lowers the chances for liability and what lowers the chances for liability raises the professional standards of the organization” (p. 1). Agencies that choose to do nothing are going to find themselves working with outdated equipment, outdated training, and outdated policies. This combination is the proper mixture for the departments to be severely burned during any lawsuits brought against them.

TBP should be the preferred accreditation program used by small agencies in the State of Texas. The process does take time, training, resources, and some funds, but the outcomes are a better-trained, educated, and equipped workforce. These standards not only better protect the department but also the officers.

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