

Nebraska Law Enforcement Agency Accreditation Program Manual

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ACCREDITATION PROGRAM OVERVIEW

Legal Basis

From:

Nebraska Revised Statute §81-1414.18.

Law enforcement agencies; accreditation required; Nebraska Police Improvement and Professionalism Fund; created; use; investment; grant program for accreditation costs.

- (1)
 - (a) On or before January 1, 2023, each law enforcement agency shall be accredited in a manner approved by the commission. A law enforcement agency shall not be accredited unless it has adopted written policies as determined by the commission and met other requirements as determined by the commission.
 - (b) Beginning January 1, 2023, the commission shall post on its website a list of all law enforcement agencies that are not accredited as required by this subsection. The commission shall update the list at least annually, and more frequently as the commission deems necessary.
 - (c) A law enforcement agency that is not accredited as required by this subsection shall be ineligible to receive loans, grants, funds, or donations administered by the commission until the commission determines that such agency has been properly accredited.
- (2) The commission shall develop accreditation requirements. The commission may provide its own accreditation program and may approve accreditations provided by third-party providers.
- (3) The Nebraska Police Improvement and Professionalism Fund is created. The fund shall be used to provide grants as provided in subsection (4) of this section. The State Treasurer shall credit to the fund any funds transferred or appropriated to the fund by the Legislature and funds received as gifts or grants or other private or public funds obtained for the purposes set forth in this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.
- (4) The commission shall develop a grant program to award grants to law enforcement agencies to pay for costs of accreditation incurred pursuant to this section. In awarding such grants, the commission shall prioritize smaller law enforcement agencies.
- (5) The commission may adopt and promulgate rules and regulations to carry out this section.

Note: *The Nebraska Police Improvement and Professionalism Fund was created but no funds were transferred to it, so it is not funded.*

ACCREDITATION OPTIONS

Law Enforcement Agencies

Statutorily defined law enforcement agencies apply for accreditation through the Commission via one of two options:

Option 1: Obtain/Maintain National Accreditation

Option 2: Complete State Accreditation Process

Agencies (except state agencies employing special state deputy sheriffs) not meeting the definition of law enforcement agency in statute may also apply for accreditation per the options above.

Nebraska Revised Statute §81-1401.

(7) Law enforcement agency means the police department or the town marshal in incorporated municipalities, the office of sheriff in unincorporated areas, the Nebraska State Patrol, and Class I railroad police departments;

Accepted National Accreditations

- Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA)
- International Association of Campus Law Enforcement Administrators (IACLEA)

Investigative Agencies (Not Usually Defined as Law Enforcement Agencies)

State agencies employing law enforcement officers, but not meeting the definition of a law enforcement agency per statute, may also apply for accreditation through:

Option 3: Investigative Agency Process

ACCREDITATION PROCESS

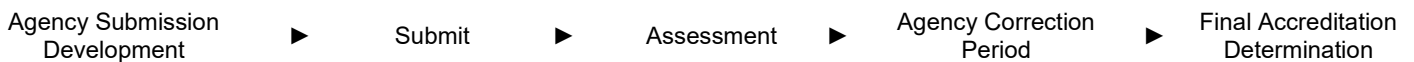
Accreditation Cycle

Most agencies will be pursuing accreditation through Option 2: Complete State Accreditation Process. The following details the process. The Investigative Agency Option also follows this process.

Initial Accreditation

Initial Accreditation

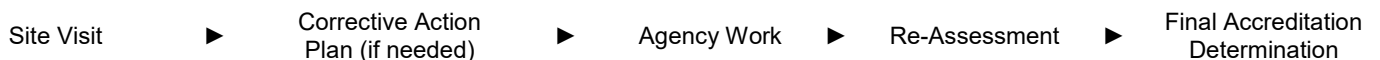
Successful completion of this stage and attainment of accredited status by an agency shall mean it meets the statutory deadline to be accredited by January 1, 2023.



Accreditation Field Assessment

Accreditation Field Assessment

Agencies achieving accredited status during Initial Accreditation will be subject to a field assessment during 2023 to further test compliance with the established standards. Discovered deficiencies that are not corrected may result in suspension or termination of accredited status depending on the circumstances.



Accreditation Field Assessment Attributes

A Field Assessment will test the following elements of accreditation:

- Statistics and Data Reporting
 - Verify status with Systems and Research Division of the Commission.
- Required Core Policies
 - Review copies of policies other than the three submitted with the accreditation packet.
- Statutorily Required Policy Submissions
 - Verify no additional policies are needed (ex. Has the agency started using body worn cameras?)
- Compliance with Change in Status Form
 - Check with NLETC for any issues with these forms.
- Background Investigation for New Hires
 - Review a sample of background investigation files to verify required elements were included.

TIMELINES

Initial Accreditation

	National	State	Investigative
Agency Submission Development	11-1-2021 to 4-1-2022		
Submit	4-1-2022		
Assessment	N/A	4-4 to 6-30-2022	
Agency Correction Period	N/A	7-5 to 9-2-2022	
Final Accreditation Determination	N/A	10-7-2022	

Accreditation Compliance

A timetable with specific dates will be published in February 2023.

	National	State	Investigative
Site Visits	N/A	Tentative: Quarters 2-3 2023	
Agency Correction Period	N/A	Tentative: Quarter 4 2023	
Final Compliance Determination	N/A	Tentative: Quarter 4 2023	

ACCREDITATION ELEMENTS OVERVIEW

The below table is a high-level overview of the accreditation elements, submission requirements, and assessment basis for each accreditation option. The following pages provide **significantly** more detail on each of these items.

Option	Requirement	Submission	Assessment	Due
1	Proof of National Accreditation	Cover letter and proof	Verification with entity	By 4-1-2022
1	Statistics and Data Reporting	Attestation from Agency	SRD Report	
2	ORI Number	Cover Letter	Verification of number	
2	Statistics and Data Reporting	Attestation from Agency	SRD Report	
2	Continuing Education	Attestation from Agency	NLETC Report	
2	Firearms Qualification	Attestation from Agency	NLETC Report	
2	Required Core Policies	Attestation and Policies	Materials Review	
2	Statutorily Required Policies	Policies	Materials Review	
2	Change in Status Form	List of changes	NLETC database check	
2	Background Investigation for New Hires	Policy Submission	Materials Review	
3	ORI Number	Cover Letter	Verification of number	
3	Statistics and Data Reporting	Attestation from Agency	SRD Report	
3	Continuing Education	Attestation from Agency	NLETC Report	
3	Firearms Qualification	Attestation from Agency	NLETC Report	
3	Required Core Policies	Attestation and Policies	Materials Review	
3	Statutorily Required Policies	Policies	Materials Review	
3	Change in Status Form	List of changes	NLETC database check	
3	Background Investigation for New Hires	Policy Submission	Materials Review	

ELEMENTS: OPTION 1 - OBTAIN/MAINTAIN NATIONAL ACCREDITATION

O1.1 Proof of National Accreditation

If a recognized national accrediting entity, as listed in this Manual, currently accredits the agency, the agency must provide proof of said status by completing the required form and attaching proof of status from accrediting agency. Agency must verify that said status would be current as of January 1, 2023.

Accepted National Accreditations

- Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA)
- International Association of Campus Law Enforcement Administrators (IACLEA)

O1.1 Statistics and Data Reporting

Agency must be current (per individual program requirements) with reporting the following data elements to the Commission:

- NIBRS
- Traffic Stop
- DICRA
- Use of Force
- Employment Data and Enforcement Contracts

Submission: Attestation from Agency

Assessment: Systems and Research Report

ELEMENTS: OPTION 2 - COMPLETE STATE ACCREDITATION PROCESS

O2.0 ORI Number

The agency must have a current FBI-issued Originating Agency Identification (ORI) Number.

Submission: Enter number on Agency Submission Cover Letter.

Assessment: Verification of number

O2.1 Statistics and Data Reporting

Agency must be current (per individual program requirements) with reporting the following data elements to the Commission:

- NIBRS
- Traffic Stop
- DICRA
- Use of Force
- Employment Data and Enforcement Contracts

Submission: Attestation from Agency

Assessment: Systems and Research Report

O2.2 Continuing Education Compliance

For the previous calendar year, agency must have been 100% compliant in reporting and have obtained a waiver from PSAC for any officers not meeting the standard. Agencies with officers whose certification has been suspended do not comply with this Element.

Submission: Attestation from Agency

Assessment: NLETC Report

O2.3 Firearms Qualification Compliance

For the previous calendar year, agency must have been 100% compliant in reporting and have obtained a waiver from PSAC for any officers not meeting the standard. Agencies with officers whose certification has been suspended do not comply with this Element.

Submission: Attestation from Agency

Assessment: NLETC Report

O2.4 Required Core Policies

Agency must have all of the policies on the list on Page 8.

Submission: 1) Attestation of Agency

2) Submit policies:

-Use of Force

-Ethics

-Sexual Misconduct

Assessment: Review of submitted materials

Required policies for all agencies:

- Cellular Telephone
- Crowd Control
- Critical Incident Investigation and Review
- Domestic Misconduct
- Duty to Disclose
- Early Intervention System
- Ethics
- Internal Affairs/Citizen Complaints
- Internet Postings/Social Networking
- Interactions with Persons of Special Populations
- Missing Persons
- Motor Vehicles Stops/Searches
- Off-Duty Action/Secondary Employment
- Property and Evidence Management
- Search/Seizure issues related to individuals, residences and seizing of evidence
- Sexual Harassment, Discrimination, Misconduct
- Transportation and Restraint of Prisoners
- Use of Force

If applicable to agency:

- Law Enforcement Canines
- Mobile Video Recorder (MVR)
- Special Operations (SWAT)

O2.5 Statutorily Required Policies

Agency must submit all policies required by statute (if applicable). These are:

- Eyewitness Identification
- Body-Worn Cameras
- Racial Profiling/Implicit Bias
- Duty to Intervene
- Receiving and Investigating Misconduct Complaints
- Pursuit of Motor Vehicles

Submission: Policy Submission

Assessment: Review of submitted materials

O2.6 Compliance with Change in Status Form

Agency complies with the statutory requirement to complete and submit a Change in Status form to the Commission on all officers entering or leaving the agency and those changing rank within the agency.

Submission: List of all officers that have left, joined or been promoted in agency from January 2021 to December 2021.

Assessment: NLETC database check

O2.7 Background Investigation for New Hires

Have a background investigation process for job applicants that assesses whether the applicant possesses the good character and fitness to serve as a law enforcement officer in the State of Nebraska. Such investigation must include, but is not limited to:

- Full educational history.
- Full employment history.
- Citations, arrests, criminal charges and any criminal convictions regardless of criminal classification or disposition on the applicant's records.
- Misconduct in previous employment that has a rational connection with the person's fitness or capacity to serve as a law enforcement officer.
- A list, provided by applicant, of all law enforcement agencies to which the applicant has made application in the last 2 years and the outcome of said application.
- Acts involving dishonesty, fraud, deceit, or misrepresentation.
- Abuse of legal process, including the filing of vexatious lawsuits.
- Neglect of financial responsibilities.
- Neglect of professional responsibilities.
- Violation of a court order, including child supports.
- Evidence of mental or emotional instability.
- Evidence of drug or alcohol dependence or abuse.
- Social media review.

Submission: Policy or SOP that covers background investigations.

Assessment: Review of submitted materials

ELEMENTS: OPTION 3 - INVESTIGATIVE AGENCIES (OPTIONAL)

O3.0 ORI Number

While encouraged if possible, the agency is not required to have a current FBI-issued Originating Agency Identification (ORI) Number. If the agency has an ORI, please provide it.

Submission: Enter number on Agency Submission Cover Letter.
Assessment: Verification of number

O3.1 Statistics and Data Reporting

Agency must be current (per individual program requirements) with reporting the following data elements to the Commission:

- NIBRS
- Traffic Stop
- DICRA
- Use of Force
- Employment Data and Enforcement Contracts

Submission: Attestation from Agency
Assessment: Systems and Research Report

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For the previous calendar year, agency must have been 100% compliant in reporting and have obtained a waiver from PSAC for any officers not meeting the standard. Agencies with officers whose certification has been suspended do not comply with this Element.

Submission: Attestation from Agency
Assessment: NLETC Report

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Submission: Attestation from Agency
Assessment: NLETC Report

O3.4 Required Core Policies

Agency must have all of the policies on the list on Page 11.

Submission: 1) Attestation of Agency
2) Submit policies:
-Use of Force
-Ethics
-Sexual Misconduct

Assessment: Review of submitted materials

Required policies for all agencies:

- Cellular Telephone
- Crowd Control
- Critical Incident Investigation and Review
- Domestic Misconduct
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- Acts involving dishonesty, fraud, deceit, or misrepresentation.
- Abuse of legal process, including the filing of vexatious lawsuits.
- Neglect of financial responsibilities.
- Neglect of professional responsibilities.
- Violation of a court order, including child supports.
- Evidence of mental or emotional instability.
- Evidence of drug or alcohol dependence or abuse.
- Social media review.

Submission: Policy or SOP that covers background investigations.

Assessment: Review of submitted materials

PROCEDURES

Submission Methods: Materials for all three accreditation options must be submitted electronically via email (individual files, PDFs, zip files, etc. are all acceptable as attachments) to the Commission at the following address: NCC.Accredit@nebraska.gov

Please note: Submissions cannot be sent in parts, even if being sent by the same delivery method.

Agency heads will receive an acknowledgment the submission was received.

Complete Submissions: Only complete submissions will be accepted. Entities submitting incomplete applications will be contacted by phone, email, and/or letter and notified of the missing material. Incomplete applications will not be retained. Any missing material must be submitted (and will only be accepted) as part of a complete submission packet.

Zero Incidence Issues: If your agency does not experience an opportunity to comply with a requirement, such incidence will not be held against the agency. For example, your agency may not use Body Worn Cameras and therefore does not have a policy to submit. Another example would be that your agency might not have had an officer join or leave your agency in the specified timespan. Simply mark N/A on the relevant checklist item.

Non-Applicability: Any element or part thereof that is not a function or responsibility of the agency will be deemed not applicable. Simply provide a memo explaining the circumstances in your agency's packet.

Cost: The Commission does not charge a fee for pursuing, attaining or maintaining accreditation under any of the options discussed in this Manual. Agencies may incur costs associated with salaries of personnel and materials in order to apply for, obtain, and maintain compliance.

