



NCLEA Standards

North Carolina Law Enforcement Accreditation

North Carolina Law Enforcement Accreditation

A joint program of the North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission.

STANDARDS MANUAL

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CHAPTER 1

ADMINISTRATION / ORGANIZATION / PROFESSIONAL STANDARDS

The administration, organization, and professional standards of a law enforcement agency are crucial to achieving its mission. The public we serve expects their law enforcement agency to demonstrate professionalism in every community contact and establish high standards of expectations to ensure community trust.

Effective organizations have clear lines of authority that assign responsibility and ensure the agency performs critical tasks such as budgeting, financial/asset management, and developing policies and procedures in accordance with best practices in the profession. Effective agency administration and organization will assist in providing efficient and effective services to the community.

All professional law enforcement agencies must have clear rules and regulations for employee conduct to maintain a positive public image. This community expectation is imperative for employees and the agency to maintain public trust. Rules or codes of conduct assure the public that their law enforcement agency is appropriately supervised and held to the highest standards of conduct. The public needs to have confidence that the organization accepts all complaints against employees, thoroughly and fairly investigates all complaints, and takes appropriate action when complaints are sustained.

1.01 Written System of Agency Directives

The agency has a written directive system in place that includes all agency policies, procedures, and practices. The written directive system shall:

- A. Establish an organizational format for all written directives;
- B. Establish the process by which the agency issues, reviews, revises, and approves written directives, including persons authorized to revise and approve written directives and timeline procedures for review;
- C. Require written directives be made available to and reviewed by all affected personnel in a manner designated by the Agency CEO;
- D. Provide a documented system and procedures for dissemination and acknowledgment of new and revised written directives to all affected personnel;
- E. Provide procedures and guidelines for deleting policies; and
- F. Require centralized storage of written directives and documentation of acknowledgment by all staff.

1.02 Organization

The agency has a written directive describing its organizational structure and a current organizational chart depicting the organizational components that is made available to all agency personnel.

1.03 Duty to Obey Lawful Orders

The Agency has a written directive requiring employees to obey lawful orders from higher-ranking agency members and describing how employees should deal with conflicting or unlawful orders.

1.04 Agency Jurisdiction

The Agency has a written directive that defines the authority of the Agency and defines its current territorial jurisdiction based on applicable state law.

1.05 Sworn Personnel

The Agency requires all law enforcement officers to meet the minimum certification standards established by the appropriate Commission and take and abide by the legally required Oaths of Office before conducting law enforcement duties.

1.06 Cash Transactions

The Agency has a written directive designating responsible personnel and directing how to handle and document all cash transactions. The directive will document which positions in the agency are authorized to perform cash transactions. This standard does not include transactions related to confidential informants or narcotics-related investigations. The directive must:

- A. Identify the custodian of the account and who is responsible for its security;
- B. Identify positions with authorized access to the money;
- C. Explain how cash is secured and where it is maintained;
- D. Specify procedures for receipt of cash or cash disbursements by means such as records, documentation, invoice requirements, balance sheets, ledgers, or another system that identifies detailed transactions; and
- E. Audit cash funds quarterly using an independent auditor.

1.07 Accountability for Agency Capital Assets

The Agency has a written directive to ensure annual accountability of all capital assets, including Agency firearms, radios, vehicles, and other capital property, equipment, or other assets valued greater than \$5,000. The results will be forwarded to the Agency CEO.

1.08 Approval for Personally Owned Equipment

The Agency has a written directive that requires all personnel to obtain written approval from the Agency CEO or designee before carrying or using any personally owned equipment during the performance of their duties.

1.09 Agency-Issued Property/Equipment

The Agency has a written directive that requires all personnel to sign a property or inventory sheet designated by the Agency for any Agency-owned property or equipment issued to the employee and includes a process for recovering the property or equipment when the employee leaves the Agency.

1.10 Continuing Compliance with NCLEA Standards

The agency has a system in place that ensures ongoing compliance with NCLEA standards and has a written directive that designates a person within the agency responsible for monitoring continued compliance with the accreditation program.

1.11 Bias-free Policing

The agency has a written directive that states that all persons having contact with members of the agency shall be treated in a fair, impartial, equitable, and objective manner without consideration of their individual demographics, in accordance with law.

1.12 Ethics Training

The Agency requires all agency personnel to have ethics training at a minimum every two years. (This standard acknowledges the state requirement for Mandatory In-Service Training and intentionally sets a higher standard for accredited law enforcement agencies in North Carolina.)

1.13 Investigations of Complaints

The Agency has a written directive requiring documentation, review, investigation, and disposition of complaints against employees. Sustained complaints must be based on facts determined during the investigation.

1.14 Time Limit on Internal Investigations

The Agency has a written directive that sets a time limit for completion of internal investigations, including possible disciplinary action. It includes procedures for request and approval of extensions of time if needed.

1.15 Notification of the Agency CEO

The Agency has a written directive outlining when and how the CEO will be notified of complaints filed against agency employees and volunteers (if any).

1.16 Reporting to Applicable Standards Division

The Agency has a written directive that requires notification to the appropriate Standards Division on the Division-provided form in accordance with NCGS 17C-16 and 17E-16.

1.17 Critical Incident Reporting

The Agency has a written directive that requires notification to the appropriate Standards Division on the Division-provided form in accordance with NCGS 17C-15 and 17E-15.

1.18 Appeal Procedures for Disciplinary Actions

The Agency has a written directive describing the appeal process, including which actions may be appealed and what level/position will constitute the appellate authority.

1.19 Records and Security of Complaints and Investigations

The Agency has a written directive that requires information and records related to complaints against employees to be kept confidential and stored in a secure location with limited access in accordance with state statutes.

1.20 Notification to Complainant

The Agency has a written directive to notify the person who files a complaint against the agency or employee of the investigation results, as permitted by law.

1.21 Harassment and Discrimination

The Agency has a written directive that prohibits harassment, discrimination, and retaliation against an employee for filing a harassment or discrimination complaint. The written directive must provide reporting procedures that include when it is appropriate to make a report outside the chain of command or outside the Agency.

1.22 Professional Conduct

The Agency has a Code of Conduct that identifies acceptable and unacceptable conduct and requires mandatory training on the Code of Conduct for all personnel every two years.

1.23 Appearance

The Agency has a written directive that describes uniform and personal appearance standards for sworn and non-sworn employees, including when non-uniform clothing is approved for special assignments.

1.24 Emergency Operations

The Agency has a written directive regarding any requirement that personnel be available for duty during emergency situations and shall define what constitutes an emergency and include a listing of positions and their responsibilities during emergencies.

1.25 Duty to Intervene

The Agency has a written directive that includes the duty and obligation to intervene as provided for in NCGS 15A-401(d1).

CHAPTER 2

TRAINING FUNCTIONS

Law Enforcement agencies are held accountable by their community and the courts for their actions. An agency's employees' actions are guided by clearly written policy, adequate supervision, and training. The North Carolina Sheriffs' Education and Training Standards Commission or the Criminal Justice Education and Training Standards Commission regulate the minimum level of training for entry into law enforcement and continued annual in-service training after employment. Agencies are responsible for providing additional training to staff as needed. These standards ensure mandated training is completed in a timely manner and appropriate records are kept proving the training was completed.

2.01 Annual Firearms Qualifications and Training

The Agency has a written directive requiring all sworn officers authorized to carry a firearm to attend firearms training and qualify annually as mandated by the appropriate Commission.

2.02 Use of Force Training

The agency has a written directive on training its sworn personnel at least annually in the legal use of force, as mandated by the appropriate Commission.

2.03 Use of Force Training and Proficiency for Intermediate Weapons

The Agency has a written directive that requires all personnel authorized to use intermediate weapons (including Electronic Control Devices, pepper spray, batons, etc.) to be trained annually and demonstrate the legal use and proficiency with those weapons. The required training should be conducted by instructors certified to teach the specific devices used by the agency.

2.04 Training Records

The Agency has a written directive that describes its employee training records system in accordance with the appropriate Commission and maintains confidentiality in compliance with law.

2.05 In-Service Sworn Officer Training

The Agency has a written directive that requires in-service training or refresher training for all sworn personnel employed or appointed by the agency, in accordance with training mandated by the appropriate Commission.

2.06 In-Service Non-Sworn Employee Training

The Agency has a written directive that identifies the non-sworn positions, including volunteer positions, that have any required state or agency pre-service and in-service training or certifications and provides the necessary training.

2.07 Supervisor Training

The Agency provides training for newly promoted supervisors appropriate to their position/rank within twelve (12) months of promotion.

2.08 Specialized Tactical Team Training

If the Agency maintains a specialized tactical team a written directive establishes the training criteria and specifies the training frequency for all assigned team members. The minimum level of basic training is completing a recognized tactical response school or the equivalent before participating in a primary function as a member of the team. Agencies utilizing specialized tactical teams must provide, at a minimum, at least eight hours monthly of relevant tactical training to be determined by the agency. The training must be based on critical skills specific to the tactical team's responsibilities as defined by the Agency.

2.09 Field Training Program

The Agency has a written directive requiring all sworn personnel to complete a minimum 160-hour field-training program. The program shall:

- A. Provide a selection process for field training officers in the agency;
- B. Specify a position responsible for overseeing the field training program;
- C. Require selected field training officers to attend a field training officer school and periodic in-service training;
- D. Require rotation of the new officer's field assignments;
- E. Be divided into phases of training based on agency needs;
- F. Provide guidelines for evaluations of the new employee during the field training program; and
- G. List reports, evaluations, and responsibilities.

2.10 Field Trainee Evaluations

The Agency has a written directive requiring new officers in the Field Training Program to receive weekly written evaluations by the FTO. The evaluation will be reviewed with the new officer and the FTO and maintained on file by the agency.

2.11 Background Investigator Training

The Agency has a written directive requiring training for personnel designated to conduct applicant background investigations. All training must be completed before conducting applicant background investigations.

2.12 Required Telecommunications Training

If the Agency operates a communications center, the Agency shall have a written directive related to the operations of the telecommunications center and shall ensure its personnel are trained in the directive, operations of utilized equipment, Agency policy, and procedure related to the telecommunications center. Telecommunications must be in compliance with all certification and training required by law.

CHAPTER 3 PERSONNEL

Employees are an Agency's most valuable asset, and the recruitment and selection of the most qualified employees available is critical to the success of the Agency's mission. The selection of employees must be non-discriminatory, job-related, and administered in a fair and consistent manner. Continuing evaluation of employees is necessary to ensure the consistent direction of employees' efforts towards Agency goals.

Good employee relations are necessary to retain competent employees and provide for their continued growth and development. All Agencies must have established procedures for promotional opportunities to ensure fairness in the promotional process.

3.01 Employee Selection Procedures

The Agency has a written selection process that details all elements of the selection process for both sworn and non-sworn applicants and requires those elements to be administered in a fair and consistent manner. Applicants for sworn and non-sworn positions must meet all legal requirements to hold their positions with the appropriate Commission.

3.02 Background Investigations for Selection of Employees

The Agency has a written directive that specifies the scope of the background investigation to be conducted on all sworn and non-sworn applicants prior to or following a conditional offer of employment. Whether conducted in house or using contractual services, the written directive shall include:

- A. The procedures for utilization of a CVSA or polygraph;
- B. The procedures for psychological evaluations;
- C. The verification of biographical data; family data; scholastic data; employment data; criminal history data; interviews with the applicant's references; and a summary of the investigator's findings and conclusions regarding the applicant's moral character known to the agency, and any reviews and/or reports required by the agency CEO.

3.03 Personnel Files

The agency maintains a personnel file(s) on each employee, which contains originals or copies of all documents and/or digital files related to personnel matters, including but not limited to changes of status, training received, commendations, records of counseling, performance evaluations, and the appropriate Commission's required documentation. Personnel files must be kept confidential and stored in a secure location with limited access in accordance with state statutes.

3.04 Secondary Employment

The Agency has a written directive that specifies the criteria for secondary employment, to include off-duty and extra-duty employment. The Directive shall include:

- A. who is authorized to work extra-duty and off-duty employment;
- B. the types of employment prohibited by the agency; and
- C. the approval procedure for extra-duty and off-duty employment; and
- D. procedures to establish insurance, worker's compensation, and/or liability responsibilities in secondary employment requests.

3.05 Promotional Process

The Agency has a written directive that describes the components of the promotional process, which may include any applicable qualifications, announcements, any testing procedures, grading, and any appeal process.

3.06 Promotional Eligibility Lists

If the Agency establishes a promotional eligibility list, a written directive specifies the duration of the list and the criteria for placement on the list.

3.07 Annual Performance Evaluations

The Agency has a written directive that requires, at a minimum, annual performance evaluations. Performance evaluations must cover a specific period of time and not extend beyond one year. Performance evaluations must be completed for all employees, including full-time, part-time, and reserve. Performance evaluations shall be signed by the employee and reviewer.

3.08 Early Warning System

A written directive that mandates procedures for a personnel early warning system to document and track the actions and behaviors of law enforcement officers to intervene and improve performance, based on NCGS 17F-10. At a minimum, the system should establish the following:

- A. Reporting of discharge of a firearm, instances of the use of force, vehicle collisions, and citizen complaints; or any other indicators identified by the agency;
- B. System for initiating review based on information reported and documented;
- C. Supervisory responsibilities and intervention to correct behavior;
- D. Referral (voluntary or involuntary) to the employee assistance program or counseling, if available; and
- E. Annual review of the system utilized to determine program effectiveness.

3.09 Reserve Officer Program

If the Agency has a Reserve Officer Program, the Agency has a written directive that describes the program, the functions performed, and ensures Reserve Officers are appropriately trained for their assigned duties/assignments.

3.10 Recruitment Plan

The Agency shall participate in a recruitment program for sworn personnel and maintain a written recruitment plan. The recruitment plan shall minimally:

- A. Contain a statement that the agency is committed to equal opportunities for employment;
- B. Define goals and objectives for the agency;
- C. Establish a plan to achieve stated goals and objectives;
- D. Annually review the progress of the recruitment plan towards goals and objectives, as well as update the plan when needed; and
- E. Establish the position responsible for the plan.

CHAPTER 4

RECORDS AND INFORMATION MANAGEMENT

Proper handling of agency records is critical to the successful prosecution of individuals charged with crimes and to provide the agency with the information to manage its operations properly. Agencies must comply with the provisions of State and Federal law regarding public information and records retention.

4.01 Privacy and Security of Records

The Agency has a written directive complying with applicable law for the privacy, security, and retention of records. Appropriate training for the agency personnel responsible for records management must be provided. Records must be kept securely, and all juvenile records must be secured separately from adult records.

4.02 Release of Information

The Agency has a written directive, in accordance with current law, regarding the release of information and public records requests.

4.03 Public Information Officer (P.I.O)

The agency has a Public Information Officer or designated person(s) to release information to the news media and the public about cases or investigations.

CHAPTER 5

USE OF FORCE

Law enforcement agencies are the only part of the government authorized to use force against a citizen. Officers are authorized to intervene in circumstances to keep the peace in their jurisdiction and, in doing so, must sometimes resort to the use of force. The legislature and the courts grant the authority to use force with the expectation that it will be used appropriately. It is the obligation of professional law enforcement organizations to review and examine the use of force by Agency members to ensure that the force utilized conforms with the law and Agency policies.

5.01 Authorization to Use Force

The Agency has a written directive that authorizes personnel to use only the physical force that is reasonable to achieve the desired legal objective.

5.02 Neck and Choke Holds

The Agency has a written directive that prohibits the use of choke holds (a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation) except in those situations where the use of deadly force is allowed by law.

5.03 Authorization of Deadly Force

The Agency has a written directive that authorizes law enforcement officers to use deadly force in accordance with NCGS 15A-401(d)(2).

5.04 Use of Force Review

The agency has a written directive requiring agency review of each incident of use of force as defined by the agency.

5.05 Weapons and Ammunition

The Agency has a written directive identifying the type of weapons and ammunition approved for on duty use and off duty use when personnel exercise their law enforcement authority.

5.06 Documenting the Discharge of Firearm

The Agency has a written directive for documentation and supervisory review of any intentional or unintentional discharge of a firearm by an employee, not inclusive of training scenarios or approved humane life-termination of injured animals.

5.07 Rendering Medical Aid after Using Force

The Agency has a written directive instructing personnel to provide first aid (to the extent trained) to anyone injured by the use of force and to report any injury resulting from a use of force.

5.08 Removal from Line of Duty Assignment

The Agency has a written directive for relieving any employee from the line of duty who has used deadly force (that force substantially likely to cause death or serious bodily injury) or has been involved in any incident that has resulted in the serious injury or death of a person until a preliminary administrative review can be conducted.

5.09 Warning Shots

The Agency has a written directive prohibiting warning shots.

CHAPTER 6

LAW ENFORCEMENT OPERATIONS

Basic law enforcement operations have developed over time due to input from our community, the courts, professional law enforcement organizations, and technological advancements. The standards provided in this section are the best practices for law enforcement operations and ensure agencies are meeting their employees' and citizens' most basic needs. Most prominent in this chapter are the standards that ensure an agency protects the rights of those it serves.

6.01 24-Hour Law Enforcement Response to Emergency Situations

The Agency responds to requests for law enforcement services 24 hours a day or has arrangements with another law enforcement agency to respond to those requests.

6.02 Investigative Interviews

The Agency has a written directive regarding procedures for conducting investigative interviews of adults and juveniles. The directive shall address interview documentation, that interviews requiring audio or video recordation are performed in accordance with North Carolina statutory requirements and ensure that juveniles are provided their statutory interrogation rights.

6.03 Search Warrants/ No Knock Warrants / Warrantless Searches

The Agency has a written directive regarding procedures for entry into and searches and seizures of property with a warrant, without a warrant and for no-knock warrants. This should include the scope of such searches and the documentation required of such searches in agency reports.

6.04 Preliminary Investigations

The Agency has a written directive for conducting preliminary investigations.

6.05 Follow-Up Investigations

The Agency has a written directive which:

- A. Identifies the criteria necessary for a case to be assigned for follow-up investigation;
- B. Identifies how cases are assigned for follow-up investigations and any follow-up reporting if required; and
- C. Requires appropriate personnel to be trained in conducting follow-up investigations.

6.06 Informants

If the Agency uses informants, it will have a written directive to instruct appropriate personnel in the use of informants. The written directive will include the following:

- A. The identification and recruitment requirements, limits on who can be used, and appropriate personal interaction with informants;
- B. Payments to informants and necessary documentation;
- C. Informant file requirements (index number, history summary of cases, active or inactive status, fingerprints, photograph, current criminal history, biographical information, known associates, prior contacts with the Agency, prior status with other law enforcement agencies as a confidential informant (CI), statement of motivation, signed informant agreement, statement of expectations, probation parole status, visual confirmation of CI by Agency CEO or designee);
- D. Informant files shall be secured with limited access; and
- E. Special precautions shall be taken with juvenile informants.

6.07 Confidential and/or Narcotics Funds and Audits

If the Agency has confidential and/or narcotics-related funds, there is a written directive for the management of those funds. The written directive must include the following:

- A. Designation of who is responsible and accountable for the maintenance of the funds;
- B. Guidelines for secure storage of the funds;
- C. Procedures for requesting, receiving, and returning unused funds;
- D. Documentation of cash transactions; and
- E. At a minimum quarterly auditing by an individual/supervisor independent of the confidential funds.

6.08 Vehicle Pursuits

The Agency has a written directive for vehicle pursuits and annually trains appropriate personnel in the pursuit policy. The written directive includes the following:

- A. Criteria for initiating a pursuit;
- B. Methods for conducting a pursuit;
- C. Appropriate personnel authorized to conduct a pursuit;
- D. Responsibilities of the officer(s) involved, telecommunicator(s), and supervisor of an officer in a pursuit;
- E. Criteria for exiting Agency jurisdiction;

- F. Approved forcible stopping techniques, if any; and
- G. Criteria for terminating vehicle pursuits.

6.09 Vehicle Pursuit Documentation

The agency has a written directive requiring agency review of each vehicle pursuit as defined by the agency.

6.10 Non-Emergency and Emergency Response

The Agency has a written directive that differentiates between emergency and non-emergency calls for service and states when a law enforcement officer is authorized to operate a law enforcement vehicle in an emergency manner. The directive must describe the law enforcement officers' responsibility when operating an emergency vehicle.

6.11 Crash Investigation

The Agency has a written directive on conducting vehicle crash investigations. The written directive will include the following:

- A. How officers will respond to the scene;
- B. Obtaining emergency aid for any victims;
- C. Reporting requirements;
- D. Preserving the scene; and
- E. Taking any enforcement actions

6.12 Reflective Vests

The Agency has a written directive that requires personnel to wear a reflective vest that meets current ANSI/ISEA standards when either directing traffic or working at the scene of a crash.

6.13 Roadblocks During Pursuits

If the Agency authorizes the use of stationary and/or moving roadblocks during pursuits, it has a written directive; it trains appropriate personnel in the use of roadblocks, including when and how roadblocks may be used.

6.14 Checking Stations and Roadblocks

The Agency has a written directive for use of checking stations to enforce the Motor Vehicle Code and stationary roadblocks for enforcement or information gathering purposes.

6.15 Stop Sticks/Road Spikes

If the Agency authorizes the use of stop sticks/road spikes, it has a written directive and trains its personnel in the use of stop sticks/road spikes, including when and how to deploy them safely.

6.16 Seatbelts

The Agency has a written directive requiring occupants in Agency vehicles to wear a seat belt, as required by North Carolina law. Detainees and arrestees are required to be seat-belted during transport.

6.17 Inspection of Patrol Vehicle and Equipment

The Agency requires personnel to inspect their assigned patrol vehicle for content and appearance, as well as the operability of all patrol equipment assigned to or provided for prior to each assignment or the beginning of each shift.

6.18 Special Use Equipment and Vehicles

The Agency has a written directive that requires that any special equipment and vehicles, including vehicles used for special assignments, have a documented readiness inspection at least quarterly.

6.19 Traffic Enforcement Operations

The Agency has a written directive describing traffic enforcement activities, and the directive includes:

- A. Authorized traffic enforcement activities;
- B. Circumstances where law enforcement officers have discretion;
- C. Procedures to be followed for the issuance of a citation; and
- D. Circumstances where a custodial arrest is authorized, to include DWI investigation.

6.20 Eyewitness Identification

The Agency has a written directive describing procedures for eyewitness identifications and trains appropriate personnel in the administration of show ups, live or photographic lineups.

6.21 Missing Persons

The Agency has a written directive on the handling of missing persons and includes:

- A. No minimum time requirement for a waiting period;
- B. Initial investigation process, internal reporting, and notification requirements, and external reporting to required entities, including entry into ACIC/NCIC;
- C. Special investigative considerations for unusual circumstances and at-risk missing persons (i.e., children, elderly, evidence of abduction, mentally ill, etc.); and
- D. The use of electronic alert systems, if available to the agency.

6.22 In-Car and/or Body-Worn Audio / Video

If the Agency voluntarily decides to employ in-car and/or body-worn cameras, the agency shall have a written directive to include the following:

- A. Policy statement on purpose and organization's reasoning for its use;
- B. Requirements and restrictions for activation and deactivation of the device;
- C. Criminal and administrative use of camera-captured data;
- D. Data storage and retention requirements;
- E. Equipment maintenance and inspection procedures;
- F. Training requirements for users and supervisors;
- G. Requirements for documented review of camera captured data, including frequency and quantity; and
- H. Procedures for the public request of recordings in accordance with NCGS 132-1.4A.

6.23 Ballistic Vests

The Agency makes available ballistic vests for all sworn personnel and establishes a written directive for making the vest available, along with the requirements for wearing and the responsibility for inspection of possible damage. The agency shall ensure that the manufacturer's guidelines and recommendations are followed.

6.24 Providing Discovery to Prosecutor

The Agency has a written directive that requires full disclosure in Superior Court pursuant to NCGS 15A-901 of the investigative file on a timely basis to the district attorney's office prosecuting any offense investigated by personnel of the Agency.

CHAPTER 7

MAJOR INCIDENTS

While the majority of law enforcement work does not involve major incidents, some circumstances are of such a critical nature or magnitude that special responses are necessary. These may include barricaded subjects, bomb threats, or even natural disasters. Prior planning and training for these events and sound policy on how they should be handled are critical to the successful conclusion of an event. Standards in this section address the most critical of these situations.

7.01 Emergency Operations Plan

The Agency has a written Emergency Operations Plan (EOP) or is included in a city/county Emergency Operations Plan. The plan is accessible to all personnel and the agency trains appropriate personnel in the plan.

The Plan also includes provisions covering the following:

- A. Civil disturbances;
- B. Bomb threats;
- C. Response to natural and manmade disasters;
- D. Crisis negotiation;
- E. Mass arrests;
- F. Other incidents or events;
- G. Provisions for alternative locations for functions and facilities to ensure continuity of operations
- H. Annual review of the Emergency Operations Plan.

7.02 Incident Command

The Agency specifies an incident command system that includes the following:

- A. Activation of command and setting up a command post;
- B. Requesting additional personnel or assistance from other agencies;
- C. Set up a staging area; and
- D. Handling media and public information requests.

7.03 After Action Report

The Agency has a written directive that requires an after-action report for any natural or man-made disaster, any major incident as defined by the Agency, and any tactical team deployment.

7.04 Tactical Team

If the Agency has a tactical team or has an Agency member on a tactical team, a written directive must establish the following:

- A. Criteria for selection of members;
- B. Situations/circumstances under which the team may be deployed;
- C. Requirements to be a member and continued training of all team members;
- D. Requirement for deployment of less lethal options specific to the team;
- E. Requirement that protective vests be worn by personnel;
- F. At least annually, a documented inspection of equipment;
- G. Provisions for placing medical and/or fire assistance on standby.

7.05 Hazardous Materials

The Agency has a written directive that provides resources regarding whom to contact for an immediate response to large-scale hazardous materials and biohazard situations.

CHAPTER 8

TELECOMMUNICATIONS

Basic communications operations are necessary to provide fast, efficient, and reliable service to the citizens of a community. It is also essential to ensure the safety of the responding officers and employees. Reliability and access to state and national databases are required to provide officers with the information necessary to perform their job and protect them from harm. For the purpose of this chapter, a Telecommunications Center is defined as any location where the primary function is to receive and or dispatch calls for service.

8.01 Telecommunication Centers (24-hour access)

The agency has a telecommunications system in place that addresses 24-hour call receipt capability. If officers are not working 24 hours per day, the system addresses communication with the back-up agency to ensure response to calls for service.

8.02 Back-up Telecommunications Center

The Agency has a back-up plan in place in the event the Telecommunications Center becomes inoperable.

8.03 Facility Security

If the Agency operates a Telecommunications Center, the area is secured from the general public and allows only those persons designated with access to be in the communications area.

8.04 Playback System

The Telecommunications Center has a playback system for telephones and radios to allow information to be retrieved when necessary.

8.05 Back-Up Power Source

The Telecommunications Center has access to a backup power source, or other alternate means of communications, in order to maintain the operation of radios and telephones during a power failure. The backup power source or alternate means of communication has security measures preventing unauthorized access or tampering. A minimum of quarterly documented testing of the backup system is required.

8.06 24-Hour Two-Way Radio Capability

The Agency has 24-hour two-way radio capability between the Telecommunications Center and officers on duty in the field.

8.07 Access to Criminal Justice Information Systems

The Agency has access to state criminal justice information systems.

CHAPTER 9

DETAINEE PROCESSING AND TRANSPORTATION

Detainees in custody must be safely transported to a detention facility and held in a manner that meets constitutional standards. Proper transportation procedures also ensure the safety of law enforcement officers and detention personnel. The applicability of these standards depends on the type of holding area an agency employs.

If an agency operates a holding area in which individuals can be secured, the agency must comply with all standards in this chapter. An interview room where a law enforcement officer is always present would not be considered a holding facility.

9.01 Searching and Transport

The Agency has a written directive addressing searching and transporting a detainee before transportation. The written directive includes, at a minimum:

- A. All detainees must be searched before any transport;
- B. The Agency approved methods to transport detainees safely;
- C. Methods or actions for transporting sick, injured, or disabled detainees;
- D. Requirement that the transporting vehicle be searched before and after the transport;
- E. The proper use of any restraining devices;
- F. Monitoring of the detainee to observe any medical difficulties that arise en route; and
- G. The reporting process or procedures following an escape of a detainee while being transported.

9.02 Temporary Custody of Juveniles

The Agency has a written directive addressing juveniles in temporary custody in accordance with North Carolina law.

9.03 Separation of Detainees

The Agency has a written directive that requires the separation of adult male and adult female detainees. The written directive also requires sight and sound separation between adult detainees and juveniles in temporary custody.

9.04 Medical Assistance for Detainees

The Agency has a written directive instructing personnel when and how to obtain medical assistance for ill or injured persons in custody.

9.05 Strip Searches and Body Cavity Searches

The Agency must have a written directive regarding strip searches and body cavity searches that shall include, at a minimum:

- A. Authority for conducting strip and body cavity searches with or without a warrant;
- B. Provisions for privacy and search by gender or gender identity/expression;
- C. Provisions for dealing with juveniles in this circumstance; and
- D. Reporting requirements for strip and body cavity searches.

9.06 Weapons in Holding Areas /Processing areas

The Agency has a written directive on when weapons, including less-than-lethal weapons, are allowed in the holding cell and processing areas of the Agency and provisions on when and how they must be secured.

9.07 Consular Notifications

The Agency has a written directive ensuring their compliance with all consular notification requirements for any foreign nationals in accordance with federal requirements.

CHAPTER 10

COURT SECURITY

Agencies that provide security for the courts within our judicial system must ensure the courts are safe to protect the integrity of the criminal justice system and those who work or visit them. Security systems should be designed to protect the physical facilities and all participants in the court proceedings.

10.01 Courthouse/Courtroom Security

If the Agency provides security for a courthouse/courtroom, the Agency has written directives and trains appropriate personnel on searches of persons entering, security measures, including the carrying of weapons in a courthouse/courtroom, and the use of restraints on persons in custody.

10.02 External Emergency Communications

If the Agency provides security for a courthouse/courtroom, at least one means of external communication is available to a member of the court security staff for emergency situations for each courtroom.

10.03 Emergency Response and Evacuation Plans

If the Agency provides security for a courthouse/courtroom, the Agency shall have written emergency response protocols and evacuation plans for each courthouse/courtroom that are reviewed with Court employees at least annually.

CHAPTER 11

PROPERTY AND EVIDENCE MANAGEMENT

The proper collection, preservation, and storage of evidence is crucial to the accomplishment of any law enforcement mission. Presentation of reliable evidence is required for the successful prosecution of criminal defendants. The property control function of the Agency must be beyond reproach, with frequent audits, inspections, and inventories essential to ensuring these high standards are met.

11.01 Property and Evidence – Chain of Custody

The Agency has a written directive for taking property and evidence into custody, including assets seized for forfeiture, to ensure proper inventory, storage, and chain of custody.

11.02 Access to Crime Scene Personnel

The Agency has on staff or has access to trained crime scene personnel to assist with major crime scene investigations when necessary.

11.03 Property and Evidence Submission

The Agency has a written directive that requires all property and evidence seized by agency personnel to be submitted to the property/evidence technician or placed in the property and evidence area by the end of their shift. Employees shall not personally retain property or evidence.

11.04 Property and Evidence Storage/Access and Security

The Agency has a written directive that identifies personnel authorized to enter the property and evidence storage area(s). The property and evidence storage area will be secure, with restricted access for unauthorized personnel unless they are escorted and sign in and out in a book or register or a digital agency-approved tracking system. If another entity stores property and evidence for the Agency, that entity must comply with all the requirements of this standard.

11.05 High-Risk Property and Evidence

The Agency has a written directive that requires high-risk property and evidence to be stored separate from other property in locked storage areas inside the Property Room and requires additional security measures. This includes guns, drugs, money, or any other item of high value or significant risk of loss as determined by the Agency. If another entity stores high-risk items for the Agency, that entity must comply with all requirements of this standard.

11.06 Disposal of Property and Evidence

The Agency has a written directive for the documentation of the proper disposal of property and evidence stored in the Agency property and evidence storage area.

11.07 Release of Property and Evidence

The Agency has a written directive for the release of property or evidence. The directive shall detail the difference between property and evidence and when and how items may be released to the complainant or owner. All releases will be documented and signed for on a property and evidence release form.

11.08 Annual Unannounced Inspection of Property and Evidence

The Agency has a written directive in place for a documented unannounced inspection of property and evidence at least annually.

11.09 Annual Audit of Property and Evidence

The Agency has a written directive that requires an annual written audit (as required by Appendix B) of property and evidence.

11.10 Change of Assignment Inventory of Property and Evidence

The Agency has a written directive requiring a written audit (as required by Appendix B) of Property and Evidence when a new property and evidence custodian is assigned to oversee the property and evidence room. The Agency shall also conduct an audit of high-risk items when a new CEO is assigned to lead the Agency.

11.11 Hazardous and Biohazardous Materials

The Agency has a written directive addressing safety procedures for the receipt, management, storage, and disposal of hazardous and biohazardous materials.

APPENDIX A – DEFINITIONS

Agency Jurisdiction: The territory within which an agency's authority may be exercised.

Appeal: To resort to a higher authority or greater power, as for sanction, corroboration, or a decision that could reverse a decision.

Audit: A comprehensive examination to verify compliance with established standards, written directives, and operational procedures, and to recommend any indicated changes.

Biased-free Policing: Not engaging in bias-policing, which is the unlawful consideration of individual demographics while enforcing the law or providing law enforcement services.

Biohazardous Materials (Potentially Infectious Material): Any human body fluid, tissue, or organ other than intact skin. Any biologic agent or other disease-causing agent which upon exposure, ingestion, inhalation, or assimilation into any person, will or may reasonably be anticipated to cause disease or death.

Capital Assets: Property of any kind assigned for use to or owned by an agency, including moveable or immoveable property.

Chief Executive Officer (CEO): The duly authorized Agency Head who is the highest-ranking executive for the law enforcement agency and possesses ultimate command authority for the operation of the agency. Examples would include Chiefs, Sheriffs, Colonels, and Directors.

Chain of Command: An organization's hierarchy with formal lines of communication through each level of command.

Chokeholds: A physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

Confidential Informants: An individual who cooperates with a law enforcement agency to assist with intelligence gathering or investigative efforts and:

1. Requests to do so without using their name in order to protect their identity and safety; and
2. The individual seeks to avoid arrest or prosecution for a crime, or mitigate punishment for a crime for which a sentence will be or has been imposed; and
3. Is able, by reason of his or her familiarity or close association with suspected criminals, to:
 - a. Make a controlled buy or controlled sale of contraband, controlled substances, or other items that are material to a criminal investigation;
 - b. Supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or
 - c. Otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.

Commission: Refers to the North Carolina Sheriff's Education and Training Standards Commission or the Criminal Justice Education and Training Standards Commission as defined in North Carolina law.

Deadly Force: The use of force that is likely to cause death or great bodily harm.

De-escalation: An attempt to stabilize a situation where possible force would be used by communicating, verbally or non-verbally, in order to reduce threat so that more resources can be used to resolve the situation and reduce or eliminate the amount of force required.

Disabled Detainee: A person who has been arrested or is in the custody of the agency who has any physical or mental condition that limits movement, senses, or activities.

Discrimination: The unjust/prejudicial treatment of individuals.

Duty to Intervene: An officer's responsibility to prevent or stop the use of excessive force by another officer when it is objectively reasonable to do so.

Early Warning System: A system to document and track the actions and behaviors of law enforcement officers for the purpose of intervening and improving performance.

Emergency Response: An actual or potential situation that has an immediate threat to life or property.

Employee Assistance Program (EAP): The program designated to assist in concerns or problems (personal or job related), that could affect an employee's personal or professional well-being. The program may be done in-house, including Human Resources, or may be outsourced to a private or public entity.

Ethics: Moral principles that govern an individual's or an agency's conduct.

Extra-duty Employment: Any secondary employment where the actual or potential use of law enforcement authority is a condition of employment.

Field Training: A program that trains newly hired personnel in application of skills and knowledge previously learned in the academy, or previous experience that relates to their current employment.

Field Training Officer: An experienced or senior officer with specialized training who is responsible for the training and evaluation of newly hired line personnel.

Follow-up Investigation: An extension of the preliminary investigation intended to close the case, often conducted by specially trained personnel.

Gender Identity/Expression: Gender identity is a person's internal sense of their own gender. Gender expression is how a person publicly expresses or presents their gender by personality and/or appearance.

Harassment: Conduct that is intimidating, hostile or offensive, and interferes with an individual's or group's work performance.

Hazardous materials: Substances of chemicals that pose of health hazard, a physical hazard or harm to the environment.

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

Incident Command System (ICS): Organization and coordination of members and agencies to stabilize an incident while protecting life, property, and the environment. There are five major components: command, planning, operations, logistics, and finance/administration.

In-service Training: Specified formal/informal training that enhances personnel's knowledge, skills and/or abilities. This can be in the form of State mandated training, specialized training, advanced training, officer professional development training, or less formal types of training.

Lateral Vascular Neck Restriction: A technique that is used to incapacitate individuals by restricting blood flow to the brain.

No Knock Search Warrants: A search warrant authorized by a judicial official permitting officers to enter a location without immediate notification to the occupants.

Non-sworn: An employee of an agency that supports the agency but has no arrest powers.

Off-duty Employment: Any secondary employment that does not use actual or potential law enforcement authority as a condition of employment.

Performance Evaluation: An assessment of an individual's day-to-day conduct that addresses any positive or negative performance and behavior pertaining to the individual's work.

Property and Evidence Custodian: The person who holds authority for the day-to-day supervision and operation of the property and evidence function.

Reasonable Belief (Objectively Reasonable): An officer's evaluation of their current situation in totality and their determination of the necessity of force needed. A reasonable level of force is that which a reasonably prudent officer would use if under the same or similar circumstances.

Recruitment Plan: A written plan describing methods to be utilized for recruiting, hiring, and retaining qualified personnel.

Reserve Officer: A paid or unpaid, individual sworn as a Reserve Police Officer or Reserve Deputy, whose function is to augment the law enforcement efforts of the agency in the performance of their duties.

Review: To examine or study; less formal than an analysis.

Rolling Roadblocks: Authorized vehicles leading traffic in order to slow movement for reasons such as a funeral, construction, OR may include enforcement techniques using police vehicles as defined in agency policy.

Search Warrants: A court order and process directing a law-enforcement officer to search designated premises, vehicles, or persons for the purpose of seizing designated items and accounting for any items so obtained to the court which issued the warrant.

Secondary Employment: Any employment other than primary employment by the Agency, to include extra-duty and off-duty employment.

Selection Criteria: The rules, standards, or minimum requirements used to fill a specific position.

Selection Process: Procedures utilized to determine which candidate will fill a specific position.

Serious Bodily Injury: Bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization.

Special Use Vehicle: A specified vehicle utilized due to weather, terrain, or special operational needs, etc. Includes SWAT trucks, bomb disposal vehicles, mobile command posts, all-terrain vehicles (ATVs), personal watercraft, boats, aircraft, prisoner transport vehicles, motorcycles, bicycles, and animals.

Specialized Training: Specific training that enhances skills and knowledge.

Standards: A compilation of law enforcement practices and requirements determined by the NCLEA Accreditation Committee to be the most appropriate for North Carolina Law Enforcement agencies.

Standards Divisions: As used in this document, refers to either or both the Criminal Justice Standards Division and/or the Sheriffs' Standards Division.

Stationary Roadblocks: An unmoving roadblock intended to prohibit motorist from evading arrest OR as used in agency policy to conduct investigatory check points.

Strip Search/Body Cavity Search: Visual or manual internal inspection of an individual's body to make sure there is no illegal/prohibited materials. This search must be done in private and by an officer or official of the same identifying sex.

Stop Sticks/Road Spikes: Device utilized to impede or stop the movement of an individual in a wheeled vehicle by puncturing the tires.

Sworn Officer: An employee certified by the appropriate Standards Divisions who possesses full law enforcement and arrest powers and is employed either full-time or part-time by a law enforcement agency. This individual may or may not be compensated.

Tactical Team: A specific group of personnel who are specially trained and equipped to handle high-risk and unique situations, e.g., snipers, barricaded persons, hostage takers. This does not include units whose primary purpose is to handle HazMat, Hurricane/Disaster response or WMD incidents.

Transport Vehicle: Any Agency vehicle used to transport a prisoner.

Warning Shots: Firing a firearm with no intention of harm but only to intimidate individual(s) into compliance.

Written Directives: Policy/procedure, plan, rule, general/special order, state law or local ordinance, etc. that applies to an agency.

APPENDIX B – PROPERTY AND EVIDENCE AUDITS

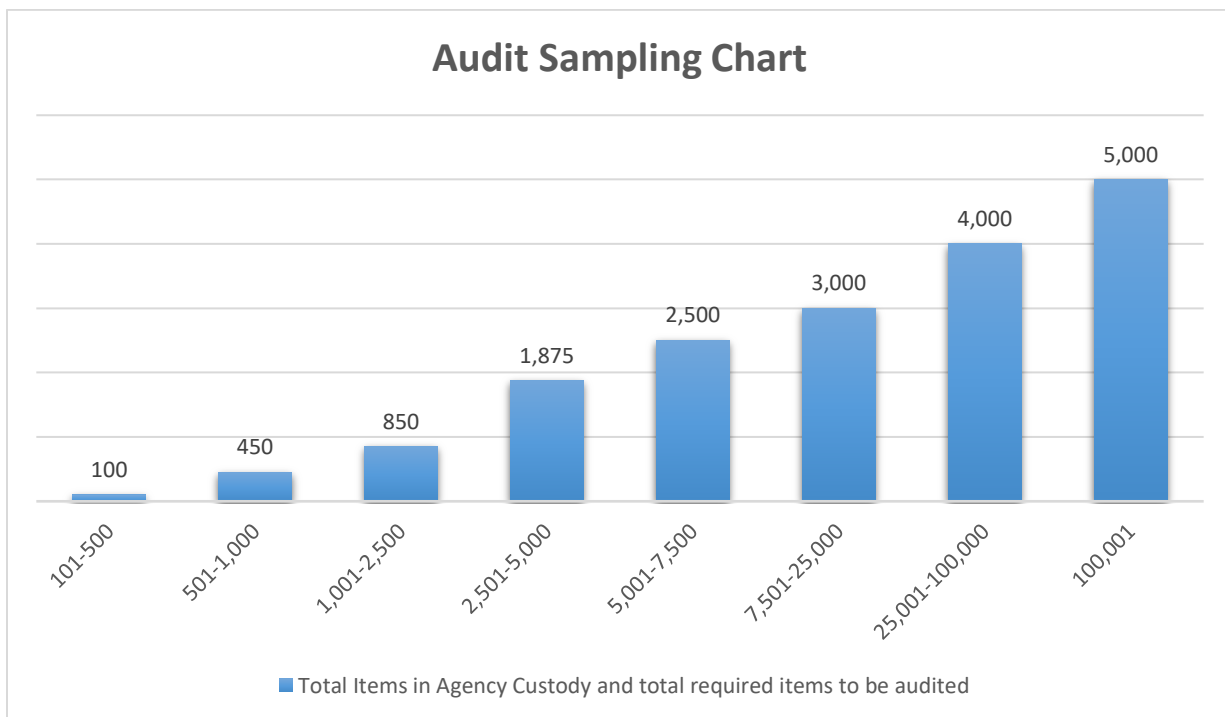
A random representative sample of general evidence and property items held by the Agency in the minimum and maximum numbers listed below must be audited.

Minimum sample sizes for audits of **all general** items shall be as follows:

- 1-100 items = 100%
- 101 – 500 items = 100 items or 90%, whichever is greater
- 501 – 1,000 items = 450 items or 85%, whichever is greater
- 1,001-2,500 items = 850 items or 75%, whichever is greater
- 2,501-5,000 items = 1,875 items or 50%, whichever is greater
- 5,001-7,500 items = 2,500 items or 40%, whichever is greater
- 7,501-25,000 items = 3,000 items or 16%, whichever is greater
- 25,001-100,000 items = 4,000 items or 5%, whichever is greater
- 100,001+ items = 5,000 items or 3%, whichever is greater

If during the audit an error rate of more than ten percent (10%) of the audited items is discovered, a complete inventory of all property items must be performed.

Note – The below chart represents total items in custody of agency and the maximum number of general evidence items to be audited for that agency.



A random representative sample of high-risk evidence and property items held by the Agency in the minimum and maximum numbers listed below must be audited.

Minimum sample sizes for audits of **high-risk** items shall be as follows:

- 1-100 items = 100%
- 101 – 500 items = 100 items or 90%, whichever is greater
- 501 – 1,000 items = 450 items or 85%, whichever is greater
- 1,001-2,500 items = 850 items or 75%, whichever is greater
- 2,501-5,000 items = 1,875 items or 50%, whichever is greater
- 5,001-7,500 items = 2,500 items or 40%, whichever is greater
- 7,501-25,000 items = 3,000 items or 16%, whichever is greater
- 25,001-100,000 items = 4,000 items or 5%, whichever is greater
- 100,001+ items = 5,000 items or 3%, whichever is greater

If during the audit an error rate of more than five percent (5%) of the audited items is discovered, a complete inventory of all high-risk property items must be performed.

Note – The below chart represents total items in custody of agency and the maximum number of high-risk evidence items to be audited for that agency.

