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City of Las Vegas Detention and Enforcement accreditation evaluation program

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City of Las Vegas Detention and Enforcement
Accreditation Evaluation Program
Spring 2009

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Executive Summary

The City of Las Vegas, Detention and Enforcement is a law enforcement organization that is significantly unique in its mission and organization. On March 15, 1982, the City of Las Vegas determined that, due to extreme overcrowding at the Las Vegas Metropolitan Police Departments holding facility, it was time to create the Las Vegas Department of Detention and Correctional Services. As the population of Las Vegas continued to grow, the Las Vegas Department of Detention and Correctional Services also increased in both size and degree of responsibilities. In 1986, the Las Vegas Park Rangers were absorbed and became the law enforcement arm of the agency, patrolling anything that is owned and operated by the City of Las Vegas. Over the next decade, the agency would increase its operational mission to include Animal Control and Parking and Enforcement, move into a new facility and change their name to The City of Las Vegas Detention and Enforcement.

Since its inception, the City of Las Vegas Detention and Enforcement has demonstrated pioneering and innovative leadership that consistently looks toward the future of law enforcement in order to create and maintain a professional, state of the art, law enforcement organization. One of the benefits of their consistent striving for professionalism was being one of only two law enforcement organizations in Nevada to be awarded the coveted 'Triple Crown' of accreditation.

However, as a result of the recent nationwide economic downturn, the City of Las Vegas Detention and Enforcement, much like every other organization in the country, was forced to examine even the most minute details of their budget and eliminate all but the most necessary of expenditures.

As a result of a request for assistance from the City of Las Vegas Department of Detention and Enforcement, two teams were charged with researching the following questions. “Should the City of Las Vegas Detention and Enforcement continue to pursue national accreditation? If not, what are viable alternatives?” The first part of this question has been answered by another team. The following research examines possible alternatives to national accreditation.

Introduction

In 1929, President Hoover appointed a commission to determine the causes of criminal activity during the prohibition era. Dubbed the "Wickersham Commission", their research is the first recorded attempt at creating professional standards in law enforcement. However, it would be fifty years before standardized professionalism was truly brought to the forefront of law enforcement.

In 1978, the U. S. Supreme Court held for the first time that a municipality can be held directly liable for violating a person's constitutional rights under 42 USC, section 1983, of the Civil Rights Act of 1871 (*Monell v. Department of Social Services of the City of New York*). With courts now critically examining the operations of municipal and local governments, definitive steps needed to be taken in order to protect the rights of constituents as well as reduce liability to municipalities.

In 1979, the Law Enforcement Assistance Administration (LEAA) awarded a grant to the International Association of Chiefs of Police (IACP) for the purpose of creating and maintaining a law enforcement accreditation program available to all law enforcement agencies. The IACP, working in conjunction with the National Organization of Black Law Enforcement Executives

(NOBLE), the National Sheriff's Association (NSA) and the Police Executive Research Forum (PERF), founded the Commission on Accreditation for Law Enforcement Agencies (CALEA).

CALEA's Accreditation Program was developed to create a standard among law enforcement agencies in the area of policies and procedures that cover a wide range of public safety initiatives. Their primary goals are to:

- ✦ Strengthen crime prevention and control capabilities.
- ✦ Formalize essential management procedures
- ✦ Establish fair and nondiscriminatory personnel practices
- ✦ Improve service delivery
- ✦ Solidify interagency cooperation and coordination, and
- ✦ Increase community and staff confidence in the agency

With the national accreditation of the first law enforcement agency through CALEA in 1984, accreditation quickly became the 'holy grail' of recognition and liability protection for which chiefs of police and municipal governments had been striving.

However, national accreditation was not without barriers. The process of becoming a nationally accredited agency was both an arduous and financially burdening course of action. Law enforcement agencies beginning the process devoted countless staff hours attempting to ensure that every CALEA standard was met both operationally and in written policy. Agencies with minimal staffing levels and miniscule budgets found that national accreditation was generally too expensive, too time consuming and too restrictive. Many states discovered that CALEA mandated standards necessitated adherence to standards that did not apply to their agency. As a result, many states began to explore the idea of a state accreditation process.

In 1983, the New York State Sheriffs' Association became the first organization of law enforcement executives in the country to develop an accreditation program for its members. The initiative was so successful that a state accreditation program was created, available to all New York agencies that employ sworn police officers. Following the example set by the state of New York, many other states have created their own state accreditation process. To date there are twenty four states that have adopted their own accreditation process.

Although state accreditation was created for smaller agencies which either could not afford or were unable to comply with national accreditation standards, for the purposes of this evaluation, it was considered as a viable alternative to national accreditation for the City of Las Vegas Detention and Enforcement.

Data Collection and Methodology

There are three reasonable alternatives to national law enforcement accreditation:

- ✚ Do nothing
- ✚ Self audit, and
- ✚ Create a state accreditation process

In order to consider these three options, the needs of the organization must first be identified to decide which of the above three options are viable. An extensive amount of research was conducted that consisted of both personal and phone interviews, literature review and analysis of previously conducted studies on accreditation.

Interviews

Numerous interviews were conducted in person, via telephone and email with industry experts, ranging from police executives to risk management personnel to insurance providers.

Probably the most poignant interview conducted was with Vicky Robinson, Director of

Risk Management for the City of Las Vegas. Ms. Robinson stated that the city is self insured. Therefore, there are no insurance premiums to be lowered for the City of Las Vegas Detention and Enforcement, therefore there is no monetary benefit to the city for participating in any accreditation process. Additionally, the State of Nevada has a TORT liability cap of \$75,000, so liability concerns are a minimal issue.

All police executives interviewed, unanimously supported some type of accreditation program for their law enforcement agencies and leaned in the direction of state accreditation over national accreditation, identifying the following issues: Reduced liability, reduced insurance premiums, cost and compliance.

Reduced Liability

The common belief among the police executives is that, having an accredited agency reduces the risk of liability, stating that having industry standard policies and procedures in place ensures that officers will either follow appropriate courses of action or, if officers violate the policies, protection for the agency. This reduced liability message is reinforced by literature and propaganda provided to police agencies from both insurance companies and accreditation organizations.

Reduced Insurance Premiums

Research showed that a virtual coalition of networked insurance providers exist, spanning many states. Each insurance adjuster interviewed stated that any police agency that has earned an accreditation through either a state or national accreditation process is given a deduction on its insurance premiums. Certain insurance companies stated that they provide up to a \$6000.00 deduction for agencies that have been accredited.

Cost and Compliance

While insurance providers do not state a preference between a state or national accreditation process, police executives in smaller agencies have a decidedly different opinion. As one police executive stated, of the 1200 police agencies in his state, most have a staff of 12 officers or fewer. Smaller departments traditionally have minimal budgets. The cost of accreditation through CALEA for a department of up to 24 officers is over \$10,000, while most state accreditation processes for an agency of a similar size is approximately 1/10th the cost.

Additionally, with a smaller number of officers in their employ, complying with the stringent directives mandated by CALEA is a virtual impossibility, while the state accreditation processes are tailored to fit states unique needs. To provide an example, the state of Massachusetts does not require part time officers to have the exact same training as their full time officers, however, CALEA directives mandate that all part time officers receive the same training as full time officers.

Another complication with national accreditation that arose was the issue of performance evaluations. CALEA directives mandated performance evaluations, however, in Massachusetts, performance evaluations are a collective bargaining / union issue and cannot be mandated as CALEA requires.

Empirical Data

Data was obtained from two separate disinterested third party organizations. The Tennessee Municipal League Risk Management Pool (TML) and the Colorado Intergovernmental Risk Sharing Agency (CIRSA). On initial review, both studies appeared to support some type of accreditation process. However, closer inspection of the CIRSA data (Appendix C) revealed that the data was skewed in favor of accreditation (Appendix A). When recalculating the data, eliminating unnecessary 'filler' zeros, the data showed that the total overall

loss for accredited agencies was 2.6% greater than non-accredited agencies (Appendix B). In comparison, the data provided by TML (Appendix D) showed that the loss incurred by non-accredited agencies was significantly greater than the loss incurred by accredited agencies. However, TML took the data one step further and included data for accredited agencies that was collected both before pre and before post accreditation. When reviewing this data, there is a clear pattern of increased losses post accreditation, again, suggesting that accreditation increases losses for an agency (Appendices E and F). In order to fully understand this phenomenon, a much greater study must be conducted.

Recommendations and Conclusion

Based on interviews conducted, it is clear that a great deal of support exists for an accreditation process, be it state or national, from police executives as well as professionals from the risk management industry. Evaluating the benefits of an accreditation process for a law enforcement organization goes beyond the monetary. Valuable political capital can be gained by the chief law enforcement officer when a department achieves accreditation. In order to recommend a course of action, the chief law enforcement officer must determine exactly what he or she expects as a result of the accreditation process. As no Nevada state accreditation process currently exists, one would have to be created in order to pose as a viable option. This process would take several years to accomplish and, therefore, should not be considered. Furthermore, unless the state accreditation process is sought for political capital only, additional research should be conducted in order to determine if the data from CIRSA and TML are anomalies.

As the City of Las Vegas Detention and Enforcement has policies and procedures in place that meet accreditation standards, there is currently no financial gain in seeking any accreditation process. However, in order to maintain the level of professionalism expected by

the City of Las Vegas Risk Management office, it would be prudent for the organization to develop an internal self audit program involving agency executives, risk management personnel and legal services. This self audit could also be taken a step further by contracting industry professionals to annually review policies and procedures.

A self audit, particularly one involving external industry professionals, should satisfy any need to ensure that current 'best practices' are adhered to, without the unnecessary expense of participating in an accreditation process.

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