



## **Presentation by NHACOP Representative**

### **Overview of Training, Policies and Procedures in Law Enforcement Agencies for the Governor's Commission on Law Enforcement Accountability, Community, and Transparency**

**June 25, 2020**

I have been asked to make a presentation as the representative of the New Hampshire Association of Chiefs of Police addressing the following two areas:

- Training
- Policies and Procedures

The basic police academy is just that, entry level training. Once a recruit successfully completes and passes the classes, hands-on training, and testing, they become certified as a law enforcement officer in New Hampshire and have to annually complete eight (8) hours of refresher trainings, exclusive of firearms, first aid, or defensive tactics. In addition to the annual firearms range time, officers are required to attend refresher training(s) of not less than four (4 hours) regarding the use of deadly and non-deadly force. That totals twelve (12) hours that are required annually by Police Standards and Training Council (PSTC) to maintain an officer's certification.

Once an officer becomes "certified", there is no "standard" requirement for specific training, except firearms and use of force mentioned previously. It is left to the individual department to determine what training officers receive, and that can vary widely from department to department.

This basic academy training forms a foundation for each individual department to then build upon. Many, but not all departments, then begin a formalized Field Training Officer (FTO) program upon graduation, which would be considered a best practice. These programs vary in length, depth, and requirements. Most departments are in the ten (10) to twelve (12) week range, some are less, but for an example of variance, Bedford does a twenty (20) week program.

During an FTO program, a new officer is assigned and works alongside another officer, who generally has received specialized training to be an FTO. Daily observation reports are completed to assist and ensure the officer is progressing through the program and some departments may do additional testing over materials and procedures.

The officer will rotate through different FTO's (depending on the size of the agency), work different shifts, and would assume greater responsibilities through each phase of the program. Once an officer successfully completes their FTO program, they become a solo officer, one who can fully execute the duties and responsibilities of the position by themselves.

Besides the annual requirement set forth by PSTC, each individual agency (generally the Chief) determines what trainings are important to the mission and goals of the department. Officers routinely submit training requests to their supervisors for trainings that they are interested in or desire to specialize in a specific area.

There are other areas that determine trainings within a department and may be based on the need for refresher trainings in specific areas, legislative changes or mandates, promotions requiring supervisory trainings, specialized assignments such as a detective, DWI enforcement, Narcotics, K-9, Prosecutor, and Accident Reconstruction to name a few. There are hundreds of trainers/trainings available for law enforcement across the US. As in any profession, the quality of trainers and trainings vary with some being better than others and the cost of such training vary considerably too.

There are several factors that can determine the training or amount of trainings an officer receives each year. Factors include the cost of the training, lodging and travel expenses, overtime related to the officer being on their days off, or overtime associated with backfilling their position, or the amount of training funds available in a department's budget. Many times, a department's training budget is one of the first areas to be cut during a budget process as some look at only trying to meet the minimum standards as required by PSTC as described earlier.

Most of the departments in New Hampshire are small, but there are a few large departments, with Manchester and Nashua being the two largest. Both of those agencies have a robust training program in addition to the current 16-week PSTC academy and standard twelve (12) week FTO program. For example, Manchester PD does six (6) weeks before the recruit goes to the academy and two (2) weeks after the academy for a total of eight (8) additional weeks of training on a variety of topics that they feel is necessary for their new officers to receive.

The Chief's Association knows that training is a key component to helping officers be successful in their duties each day and to best serve our communities. I have had the opportunity to speak with Director Scippa on several occasions and I know we are in agreement on many fronts on how to progress 21<sup>st</sup> Century Policing training in New Hampshire. Training that covers the important elements of the six (6) pillars of 21<sup>st</sup> Century Policing is essential as we move forward. Some of the recommendations we are looking into in the area of training would be:

- Annual implicit and explicit bias training and cultural diversity training that is required to obtain and maintain state certification.
- Annual de-escalation training to maintain certification
- Annual wellness and resiliency training
- Use of Force training guidelines by PSTC that requires annual qualification to maintain certification with specific prohibitions against specific restraints including but not limited to choke or carotid restraint holds.

- Creation of a New Hampshire model of Standards of Conduct which is reviewed on an annual basis with officers, and they certify understanding of these standards.
- Creation of additional core curriculum that build upon the basic academy requirement. These classes would be taken at specific annual intervals from one to five years and be tied to maintaining certification.

We all attend the same academy and we believe many of these classes mentioned are important enough that the same training should be provided to all officers so that there is consistency throughout our State. We are a small State with many small agencies that depend on each other through mutual aid responses. The consistency of the training is important and crucial to further ensure we are operating from the same foundational training in these important areas.

Many of these thoughts, ideas, and recommendations would place a significant burden and additional requirements on PSTC that would require additional staff and funding to put them in place. I have confidence through my conversations with Director Scippa that he is desiring to make significant enhancements to move New Hampshire's police training forward to meet not only the needs of law enforcement in the 21<sup>st</sup> century, but also the expectations of the communities we serve.

I will now speak to the next section mentioned which is policies and procedures. Both items govern law enforcements day-to-day operations. Some policies are required by law, but the vast majority of policies are a choice of each individual agency. Most, if not all, police departments have existing policy manuals and they vary in size from department to department.

As law enforcement leaders and officers serving communities throughout New Hampshire, we face a variety of challenges, both large and small, with varying complexities, while also keeping up with legislative mandates and changes, training requirements, ensuring citizen and officer safety, and maintaining positive community relations. We depend on our policies and procedures to guide us through these and other complex issues.

Policies and procedures should be reviewed and updated when appropriate to ensure we are following law enforcement best practices. There are a variety of reasons why an agency may revise or create a new policy such as changes in procedures, encountering a new problem, equipment, technology, safety concerns, legislative changes, and thorough investigations that reveal an issue.

Each law enforcement department in the State is responsible for the creation and upkeep of their own policies and procedures. There is a core of policies that would be similar in title, similar in content, but still different. Not every department has the same policies for a variety of reasons, and one reason could be the size of the agency. For instance, you have a department with 2-3 officers versus a much larger department with over 200 officers. The larger department will have numerous divisions within the organization requiring additional policies and procedures to govern those operations.

One of the areas I was asked to address was the difference in accredited and non-accredited departments. First and foremost, there is no requirement, state or federal, for law enforcement agencies to be accredited, but it is considered a best practice.

Just because an agency is not accredited does not imply or mean they are not doing a good job or not providing good service to their community, most are doing that. Many non-accredited agencies get their policies and procedures from accredited agencies, which are always open and willing to share. As they say, no need to re-create something that already exists.

The only accreditation option currently available to New Hampshire law enforcement is national accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA). This organization was founded in 1979 as a credentialing authority by joint efforts of the following major law enforcement executive associations:

- International Association of Chiefs of Police (IACP)
- National Organization of Black Law Enforcement Executives (NOBLE)
- National Sheriff's Association (NSA)
- Police Executive Research Forum (PERF)

The benefits of CALEA Accreditation are the following:

1. **INCREASED COMMUNITY ADVOCACY** – Accreditation embodies the precepts of community-oriented policing. It creates a forum in which law enforcement agencies and citizens work together to prevent and control challenges confronting law enforcement and provides clear direction about community expectations.
2. **STAUNCH SUPPORT FROM GOVERNMENT OFFICIALS** – Accreditation provides objective evidence of an agency's commitment to excellence in leadership, resource management, and service delivery. Thus, government officials are more confident in the agency's ability to operate efficiently and meet community needs.
3. **STRONGER DEFENSE AGAINST CIVIL LAWSUITS** – Accredited agencies are better able to defend themselves against civil lawsuits. Also, many agencies report a decline in legal actions against them once they become accredited.
4. **REDUCED RISK AND LIABILITY EXPOSURE** – Many agencies report a reduction in their liability insurance costs and/or reimbursement of accreditation fees.
5. **GREATER ACCOUNTABILITY WITHIN THE AGENCY** – CALEA standards give the CEO a proven management system of written directives, sound training, clearly defined lines of authority, and routine reports that support decision-making and resource allocation.

Two major side-benefits of the Accreditation process are:

1. It requires an agency to develop a set of written directives that are industry standard best practices, comprehensive, well thought out, and uniform. This is one of the most successful methods for reaching administrative and operational goals, while also providing direction to personnel.
2. The process can limit an agency's liability and risk exposure because it demonstrates that internationally recognized standards for law enforcement have been met, as verified by a team of independent, outside CALEA-trained assessors through an audit process to ensure the department is following its policies and procedures.

Although accreditation does not prevent all negative outcomes, it does set the course for success and provides a tool for review and ongoing measurement against stated objectives. It results in data which agency leadership use for policy decisions, as well as to share with community members and stakeholders.

Throughout CALEA's standards manuals, there is a clear commitment to procedural justice, ethical policing, community trust and engagement, transparency in service delivery, appropriate organizational culture, fairness in systems and processes, and consistency in what citizens should expect from their law enforcement agency.

There is a cost to become nationally accredited through CALEA. It also requires a significant amount of staff time initially and then requires someone within the department or an additional position or contractor to manage the process on a nearly full-time basis as there are required policy audits and site visits that need to take place in order to maintain accreditation.

Another option that could be created would be a state accreditation model. Generally, it is more cost-effective for agencies and currently models already exist in some other states. It is important to note that New Hampshire had a State Accreditation system coordinated by PSTC and the New Hampshire Association of Chiefs of Police (an "Alliance"), but the process was dissolved approximately ten plus years ago as a result of a disagreement over the copyrights of CALEA's standards.

We have some advantages in New Hampshire by having one academy for training. But when it comes to policies and procedures, we could use a statewide accreditation program that is scalable to large and small agencies to ensure we all have the same basic standard operating procedures in place. We believe the public would want to know if a three person department will follow the same basic rules as a thirty (30) or three-hundred (300) person department when it comes to conduct, use of force, and fair and impartial policing, to name just a few.

Creating a state accreditation model is an area that should be looked at again, realizing that to accomplish a joint effort with PSTC it would require additional funding and staffing.

This concludes my presentation. Thank you.

Charlie Dennis, President  
New Hampshire Association of Chiefs of Police