

NATIONAL STANDARDS FOR INDEPENDENT CREDENTIALING BODIES

EXECUTIVE ORDER 14074

SECTION 19



MAY 2023

Compliance with these standards does not ensure compliance with federal, state, or local law, and shall not constitute a defense in any federal lawsuit. Nothing in these standards is intended to be (or may be) used by third parties to create liability by or against the United States or any of its officials, officers, agents, or employees under any federal law. The standards are not intended to (and do not) confer any right on any third-person or entity seeking relief against the United States or any officer or employee thereof. No person or entity is intended to be (or is) a third-party beneficiary of these standards, or, with respect to them, such a beneficiary for purposes of any civil, criminal, or administrative action.

The following standards will be used to determine if a law enforcement agency accreditation entity qualifies as an authorized, independent credentialing body as described in Section 19 of Executive Order (EO) 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, May 25, 2022. These standards further the policies in sections 3, 4, and 7 through 10 of EO 14074 as required by section 19 of the order. To qualify as an independent credentialing body, the accreditation entity is responsible for ensuring that they have law enforcement agency standards that address the mandatory standards as shown in Section I (D). An independent credentialing body may include any of the optional standards (Section II) as a required or optional standard for accreditation. Compliance with the optional standards is not necessary for certification as an independent credentialing body. If any of the mandatory standards are out of compliance with state law or local collective bargaining agreements, the accreditation entity can seek a waiver from the U.S. Department of Justice (DOJ) explaining why they cannot include the standard in their accreditation program in order to still be certified as an independent credentialing body.

It is expected that independent credentialing bodies will develop or already have in place appropriate standard language and associated commentary that captures what is in the standard. Credentialing bodies will not be required to have standards that match the wording of these standards but they should reflect the requirements of the standard.

If a law enforcement agency seeks to obtain accreditation from an independent credentialing body, compliance with standards that correspond with the mandatory standards alone will not necessarily suffice for that agency to obtain accreditation, as independent credentialing bodies often require adherence to additional policies and procedures.

I. STANDARDS FOR AUTHORIZATION

- A. The independent credentialing body must conduct an independent assessment of a law enforcement agency's compliance with applicable mandatory standards as part of the accreditation process and not rely on the agency's self-certification alone. The accreditation entity, at a minimum, must review an agency's policies to ensure they meet the mandatory standards.
- B. The independent credentialing body must require an accredited law enforcement agency to successfully renew its accreditation status not less than every four years.
- C. The independent credentialing body must maintain a publicly available list of law enforcement agencies that are currently accredited by their organization.

- D. The independent credentialing body must require, at a minimum, the following standards for law enforcement agency accreditation. **The standards identified below shall be incorporated into standards that are consistent with all applicable laws:**
1. The agency has a recruitment plan for full-time, sworn officers. The recruitment plan shall outline steps to:
 - a. Hire officers who are representative of the communities they are sworn to serve; and
 - b. Recruit persons who live in or are from these communities, if applicable laws and collective bargaining agreements allow.
 2. The agency has a written directive that describes all elements and activities of the selection processes for all officers. One of these activities requires the background investigation of each candidate for officer positions conducted prior to appointment and includes:
 - a. Verification of qualifying credentials;
 - b. Criminal history report;
 - c. Verification of personal and professional references;
 - d. Education verification;
 - e. Employment history verification;
 - f. A review of relevant national or state decertification records if available; and
 - g. Consistent with the First Amendment and all applicable laws, a check of publicly available Internet and information sharing sites to identify activity that promotes or supports unlawful violence or unlawful bias against persons based on race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability.
 3. The agency requires the performance evaluation of all officers and supervisors to be conducted and documented at least annually, including (among other factors):
 - a. For officers, an assessment of adherence to agency policies.
 - b. For supervisors, an assessment of effectiveness in addressing misconduct by officers they supervise.
 4. The agency has a career development strategy for officers that encourages mentorship, promotes retention, and provides leadership development opportunities.
 5. The agency encourages officer wellness through policies and procedures. This includes support for officers experiencing substance use disorders, mental health issues, or trauma from their duties, as well as suicide prevention.
 6. The agency has a written directive stating that officers should employ de-escalation techniques when possible but may use force that is objectively reasonable to accomplish lawful objectives.
 7. If the use of deadly force is authorized by law, the agency has a written directive that officers may use deadly force only when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person. The written directive should also include the following standards:
 - a. Prohibits the use of chokeholds and carotid (or vascular neck) restraints except where the use of deadly force is authorized by law;
 - b. Deadly force may not be used to prevent the escape of a fleeing suspect unless the suspect poses an imminent danger of death or serious physical injury to the officer or another person;

- c. Firearms may not be discharged from or at a moving vehicle except in exigent circumstances;
 - d. If feasible and if to do so would not increase the danger to the officer or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force;
 - e. Prohibits the use of warning shots; and
 - f. Deadly force should not be used against persons whose actions are a threat solely to themselves or property unless an individual poses an imminent danger of death or serious physical injury to the officer or others in close proximity.
8. An agency has a written directive that establishes the affirmative duty to intervene, i.e., to prevent or stop, as appropriate, any officer from engaging in excessive force or any other use of force that violates the Constitution, other laws, or agency policy on the reasonable use of force.
 9. An agency has a written directive that establishes the affirmative duty to request and/or render medical aid, as appropriate, where needed.
 10. The agency has a written directive that requires officers to receive in-service training, at least annually, on the agency's use of force policies, including legal updates and the affirmative duties to intervene and request and/or render medical aid. This includes training on Standards 6–9 above.
 11. The agency has a written directive implementing an early intervention system or other risk management tools that, at a minimum, enable supervisors to identify problematic conduct and conduct appropriate interventions to help prevent avoidable uses of force.
 12. The agency has a written directive that establishes mechanisms for holding their officers accountable for violating policies related to use of force, which includes timely and consistent discipline if warranted.
 13. The agency has a written directive for officers to complete training annually on implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, gender, gender identity, sexual orientation, or disability of individuals.
 14. The agency has a written directive establishing effective procedures for receiving, investigating, and responding meaningfully to complaints alleging improper profiling or bias by law enforcement officers.
 15. The agency has a written directive that outlines the maintenance of records and safe execution of announced entries and limits the use of unannounced entries, often referred to as "no knock entries," to those obtained through judicial authorization or if exigent circumstances arise at the scene such that knocking and announcing the officer's presence would create an imminent threat of physical violence to the officer and/or another person.
 16. The agency has written directives on the collection of data regarding officer suicides, officer misconduct, use of force, officers killed and assaulted, crime incidents and deaths in custody. In addition, the agency is submitting or actively working towards their ability to submit data to the following data collection efforts:
 - a. FBI's Law Enforcement Suicide Data Collection;
 - b. National Law Enforcement Accountability Database (when operational);
 - c. FBI's National Use of Force Data Collection;
 - d. FBI's Law Enforcement Officers Killed and Assaulted Data Collection;
 - e. FBI's National Incident-Based Reporting System, including hate crime data; and
 - f. Office of Justice Program's Deaths in Custody Reporting Act Data Collection.

17. The agency has a written directive that data included in the National Law Enforcement Accountability Database (when operational) will be used as a part of the hiring process.
18. The agency has written procedures for strip and body cavity searches. The procedures should address the:
 - a. Authority for conducting strip and body cavity searches with and without a warrant;
 - b. Provisions for privacy and search by gender or gender identity and gender expression;
 - c. Provisions for circumstances involving juveniles; and
 - d. Reporting requirements.
19. The agency has a written directive that establishes continuous security measures and procedures for receiving all in-custody and evidentiary property obtained by employees into agency control.
20. An agency, which has in-car and/or body-worn cameras, has a written directive that includes, at a minimum, the following:
 - a. Requirements and restrictions for activation and deactivation of the device;
 - b. Data storage and retention requirements; and
 - c. Requirements for recorded video access and review.

The independent credentialing body must have standards that incorporate the standards above. These standards are mandatory for an agency to receive accreditation. A separate credentialing process for these mandatory standards should not be required. The independent credentialing body is responsible for establishing any additional standards and procedures beyond the requirements in Section I for the law enforcement agency to successfully obtain accreditation. If a law enforcement agency is unable to meet any of the standards that correspond with the standards set in Section I (D), the agency must follow the independent credentialing body's process for requesting a waiver.

II. STANDARDS INDEPENDENT CREDENTIALING BODIES MAY CONSIDER WHEN ACCREDITING LAW ENFORCEMENT AGENCIES

An independent credentialing body may—but is not required to—consider incorporating the following standards in its law enforcement accreditation program.

1. The agency shall make available the following information on no-knock entries to the public:
 - a. The number of no-knock entries that occurred pursuant to judicial authorization;
 - b. The number of no-knock entries that occurred pursuant to exigent circumstances; and
 - c. Disaggregated data by circumstances for no-knock entries in which a law enforcement officer or other person was injured in the course of a no-knock entry.
2. The agency has a written directive that defines the promotion process for officers, which includes, at a minimum, specific criteria for evaluating the promotional potential of candidates.
3. The agency makes department policies available for public review except when doing so would hinder public safety response operations.
4. The agency provides for members of the public to provide comments on agency policies, including strategies to combat crime and employing technology, and for those comments to be considered.

5. The agency has a written directive that governs stops, searches, and seizures without a warrant by agency personnel.
6. The agency has a written directive on the collection, maintenance, and analysis of demographic data on all detentions (stops, frisks, searches, summons, and arrests). Data should be disaggregated by school and non-school contacts. These data should be made publicly available, where the release does not compromise ongoing investigations.
7. The agency has a written directive describing how and when information pertaining to incidents of alleged officer misconduct or use of force involving death or serious bodily injury will be communicated with the public and media.
8. The agency has a written directive on alternatives to arrest and defines the authority, guidelines, and circumstances when officers may exercise alternatives to arrest.
9. The agency has a written directive that requires external or independent criminal investigations in cases of officer use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.
10. The agency provides to the public aggregated data regarding the composition of the department, including race, ethnicity, gender, and number of years as an officer.
11. The agency has a written directive for responding to mass demonstrations that recognizes law enforcement's role to protect First Amendment activity, while also safeguarding property and preserving community and officer safety.
12. The agency has a written directive that requires uniformed officers to display their nameplate and badge at all times and identify themselves to individuals they have stopped, if safe to do so. The directive also requires officers to state the reason for the stop and the reason for the search, if one is conducted.
13. Prior to the implementation of new technology, the agency conducts a review that examines the impact of the technology on privacy concerns and addresses concerns in accordance with protections provided by constitutional law. For surveillance technologies, this review should include input from their community.
14. The agency maintains a collaborative community involvement process that accomplishes the following:
 - a. Seeks broad input from a diverse group of community members and organizations;
 - b. Identifies current community concerns;
 - c. Identifies potential problems that have bearing on law enforcement activities within the community;
 - d. Develops recommended actions addressing concerns and problems; and
 - e. Provides annual reporting to the Chief Executive Officer and makes these publicly available.
15. The agency assists in organizing community groups with an interest in crime prevention, to include:
 - a. Establishing liaison with existing community organizations or establishing community groups where they are needed;
 - b. Assisting in the development of community involvement policies for the agency;
 - c. Publicizing agency objectives, community problems, and successes;
 - d. Communicating crime trends and problems between citizens, businesses, and the agency; and
 - e. Supporting agency practices bearing on police community interaction.

16. The agency has a written directive that underscores the importance of officers treating individuals with respect and dignity and encourages the use of respectful language.
17. The agency provides every officer with individual tactical first aid kits and training.
18. The agency makes available DOJ compliant ballistic vests for all officers and establishes written guidelines for the wearing and availability of those vests. Ballistic vests should be worn by officers engaged in pre-planned, high-risk situations as defined by the agency.
19. The agency has a written directive that requires officers to properly wear seat belts while operating agency vehicles equipped with them.
20. The agency has a written directive requiring in-service training to be successfully completed by all officers every year, including legal updates.
21. The agency has a written directive requiring all new officers to complete a field training program for all new hires that is at least 160 hours long.
22. The agency has a written directive governing vehicular pursuits (if allowed) that states the safety of the public must be the primary consideration before engaging in the pursuit.
23. The agency has a written directive outlining the intake and investigation of complaints against the agency or its employees, which includes:
 - a. Clear procedures made available on how to file complaints;
 - b. Record maintenance of all complaints in a secure location;
 - c. All complaints are investigated, including anonymous complaints;
 - d. Procedures for notifying complainants; and
 - e. Investigation procedures.
24. The agency has a written directive for the collection and reporting of complaint data, which are made available to the public and include, at a minimum, type of allegation and resolution.



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