



## The Accreditation Process and What It Means for Your Department

By Matthew Heins, Law Enforcement Action Forum Coordinator



Recently, we’ve been hearing more and more conversations about the Michigan Law Enforcement Accreditation Program through the Michigan Association of Chiefs of Police. There is growing interest in learning about accreditation – what it is, what it costs, and why departments should commit their limited resources to the process.

In simplest terms, the accreditation process furthers an agency’s professional development and ensures that their methods, policies, procedures and daily operations follow the best practices or “standards” in the law enforcement arena.

For many years, the most familiar accreditation body has been the Commission on Accreditation for Law Enforcement Agencies, known as CALEA. CALEA is a reputable national organization which can assist agencies with their operations. Its stated purpose is “to improve the delivery of public safety services, primarily by: maintaining a body of standards, developed by public safety practitioners, covering a wide range of up-to-date public safety initiatives; establishing and administering an accreditation process; and recognizing professional excellence.” While some Michigan agencies have become CALEA certified, many have not. Cost and staffing were the most common reasons agencies did not pursue this certification.

### Benefits of Accreditation

In the law enforcement profession, the cost of mistakes can be very high. Suitable policies, appropriate supervision and oversight, along with timely and proper training are vital to both limit the organization’s exposure to liability and enhance its community relations. Leaders need to review key policies for legality, fairness, and community acceptance. Training should also be continuously monitored. Combining frequent, scenario-based, thought-provoking training with an officer’s experience will go a long way toward limiting mistakes.

Yet we all know that daily demands can hinder good intentions of being proactive in monitoring the various facets of an organization and implementing changes that will support our ideals.

Accreditation is a guide to address these issues and to ensure that leaders are diligent in following best practices, trends, court decisions, statutory changes, and societal changes that impact operations.

The accreditation process builds trust with the community - one of the greatest challenges facing American society today. Law enforcement derives its authority from the communities they police. Community engagement and satisfaction are vital to allow agencies to do their job. Departments need to be informed by the community, and collaborate and respond to the community's needs. Residents need to trust that officers will be properly trained and supervised, and will be fair, impartial, and respectful in their conduct.

Unfortunately, we do see lawsuits claiming failure to train or failure to supervise. To hold a municipality liable, a plaintiff must provide proof their injury was a direct result of the municipality's official policy or custom and that the policy or custom was a "moving force" behind the alleged deprivation of rights *Cummings v. City of Akron*. Further, a municipality's failure to train its officers must amount to "deliberate indifference to the constitutional rights of [its] citizens" to give rise to liability under *Monell Matigan v. City of New York*. It was ruled that a plaintiff must establish that the municipality's lack of training caused the deprivation of their rights.

Thus failure to train, along with poorly written or outdated policies, exposes agencies to potential liabilities that can cost thousands of dollars. Accreditation can reduce these types of exposures by ensuring an agency has up-to-date written policies, procedures, and directives, as well as solid documentation of compliance with these best practices and policies.

Meanwhile, equally important, as new threats appear and responses are developed, the latest and best training is also crucial to maintaining and improving officer safety.

Increased effectiveness and efficiency in the delivery of services is another significant benefit of accreditation. With limited resources, departments should strive to spend taxpayer dollars wisely. Certainly accreditation can reduce the costs associated with investigations, defending lawsuits, and the like. However, it can also save money and staff time by addressing administrative inefficiencies and obsolete or cumbersome operations.

Organizations are complicated, with many moving parts; internal and external influences constantly put pressure on an agency's personnel, time, and funds. With so many demands, it's not surprising that things can be overlooked. The accreditation process guarantees a systematic review of operations and policies organization-wide, to ensure that you are providing the best service possible to your communities in an efficient and effective manner.

## **The Michigan Law Enforcement Accreditation Commission**

The Michigan Law Enforcement Accreditation Commission (MLEAC) designed its program "to be a state accreditation program that meets the needs of our membership, at an affordable fee, and with a reasonable number of standards that focus on critical topics," according to Neal Rossow, the Accreditation Program Director for the Michigan Association of Chiefs of Police. The program costs less than CALEA accreditation and, though it has 105 standards rather than 459, still ensures that organizations are optimizing their delivery of service while reducing their exposure to liability.

### **What are the MLEAC Standards?**

The standards are based primarily on state and national professional standards and Michigan statutory and regulatory law. It is important to bear in mind that they are guidelines for what should be done,

not how it should be done. Each jurisdiction is unique, with its own set of challenges, culture and political climate. The standards have some flexibility, to allow procedures to vary from one department to another while still meeting the standards.

The current MLEAC Standards Manual has 105 standards, although some may not apply if an agency does not undertake certain operations. Each of its five chapters covers a broad range of topics that apply to a general area of law enforcement operations:

- 1) The Administrative Function
- 2) The Personnel Function
- 3) The Operations Function
- 4) The Investigative Function
- 5) The Arrestee/Detainee/Prisoner Handling Function

The standards can be reviewed by going to the MACP website and clicking on the accreditation tab.

### **The MLEAC Accreditation Process**

There are five phases to achieving and maintaining MLEAC accreditation: application, self-analysis, on-site assessment, Commission review, and ongoing compliance.

The application phase includes the following:

1. An interested agency completes a formal application with supporting materials.
2. The agency's Chief of Police signs the application on behalf of the agency to serve as a contract and statement of intent to complete the accreditation process.
3. The agency pays an initial accreditation fee, based on sworn FTE's. The current cost can be obtained from the Michigan Association of Chiefs of Police office.
4. The Accreditation Program Director contacts the agency to assist in starting the process.

Next is the self-analysis phase:

1. The agency begins with a self-assessment to determine its current level of compliance. It locates and compiles supporting documentation (also called "proofs") to demonstrate conformity with those standards it already meets. "Proofs" can include: existing written directives, memos, forms or e-mails; interviews with employees who have specialized knowledge of the standard being reviewed; or observation by evaluators.
2. The agency drafts new procedures for standards that have not yet been met. New policies and procedures must be fully implemented for at least three months before an agency can be considered for accreditation. This phase is the most time-consuming of the entire process and can take upwards of two years to complete.

3. A mock assessment is conducted 2 to 6 months prior to the accreditation team's on-site visit. The more comprehensive the mock assessment, the more likely the actual assessment will be successful.

Once an agency is properly prepared, it can progress to the on-site assessment phase.

1. The Accreditation Program Director selects a team of trained assessors, free from conflict of interest with the candidate agency, and then conducts an on-site review of the agency. On-site assessments typically take two days to complete. The first day includes file reviews, a tour of the agency, ride-alongs and interviews. The second day includes further file reviews, interviews, and ride-alongs; a public call-in session; and exit interviews with the CEO and the agency's accreditation manager.
2. Prior to leaving the site, the assessor team conducts a debriefing and gives a verbal report on the state of accreditation. The accreditation manager has an opportunity to address any issues discovered during the on-site visit they were not able to correct during the assessors' visit.
3. The assessors complete a formal, written report of their on-site activities and findings. A copy is sent to the agency.
4. If the final report reflects compliance with all applicable standards and required on-site activities, the final assessment report is submitted to the Commission and the agency is scheduled for a hearing/review.
5. If compliance issues remain unresolved, the agency may return to the self-assessment phase to complete unfinished work or it may choose other options such as appeal or voluntary withdrawal.

The Commission review/decision phase follows.

1. The candidate agency attends a scheduled hearing at which the Commission reviews the final report and receives testimony from agency personnel, assessors, staff or others.
2. If satisfied that the agency has met all compliance requirements, the Commission awards the agency accredited status for a period of three years.

Maintaining compliance is the final and ongoing phase.

1. To maintain accredited status, the agency must remain in compliance with applicable standards.
2. The agency submits annual reports to the Accreditation Program Director attesting to continued compliance and reporting changes or difficulties experienced during the year, including actions taken to resolve noncompliance. An annual continuation fee is also paid.
3. After a three-year period, the Commission offers the agency an opportunity to repeat the process and continue accredited status.

## Not If But When

Accreditation forces leaders to prioritize and have a laser-like focus on areas that are vital for an organization to continue to run at its optimum level of performance while hazard risks are either eliminated or reduced.

Chief David Molloy, of the Novi Police Department and current MACP President, went through the accreditation process and had this advice to offer, *“The demanding and time-consuming process of accreditation requires an organization to be introspective and comprehensive. Don’t be intimidated that the accreditation will take over your agency and remove it from your leadership and guidance. MACP accreditation allows you to demonstrate that your organization is committed to providing the highest quality of service to your citizens and staff by implementing the best practices and standards in our profession. The question shouldn’t be if your agency should become accredited, but when.”*

Yes, the process will require effort, staff time will need to be dedicated and a minor amount of funding will need to be allocated. This can be difficult to accomplish for some agencies that have limited resources. However, hard work on the front end will save a lot of hard work and headaches on the back end, particularly if you are served with a lawsuit, MIOSHA complaint or any other number of accusations that could potentially cost the organization large sums of money or public humiliation.

A leader’s role in a department is to look out for the best interest of the organization through budget development, resource allocation and deployment, addressing risk and operational issues. The Michigan Law Enforcement Accreditation Program provides a means to ensure you are providing the best service possible to your communities in an efficient and effective manner.

### **Are you an MML Insurance Program Member? Are you a Law Enforcement Executive?**

If so, visit the MML’s online [Law Enforcement Risk Control Manual](#) to access model policies and procedures developed by the LEAF Committee.

Go to: <http://www.mml-leaf.org/lerc.php>

Click on the green “Member Login” box in the left-hand panel.

At the Login screen, enter your username and password.

If you don’t have a username and password, click “Request Access” and complete the online form.

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LEAF continues to develop policies and resource documents designed to help Law Enforcement Executives manage their risk exposure.

Do not hesitate to contact the Michigan Municipal League's Loss Control Services at 800-482-2726 for your risk control needs and suggestions.

*While compliance to the loss prevention techniques suggested herein may reduce the likelihood of a claim, it will not eliminate all exposure to such claims. Further, as always, our readers are encouraged to consult with their attorneys for specific legal advice.*

The LAW ENFORCEMENT ACTION FORUM (LEAF) is a group of Michigan law enforcement executives convened for the purpose of assisting loss control with the development of law enforcement model policy and procedure language for the Law Enforcement Risk Control Manual. Members of the LEAF Committee include chiefs, sheriffs, and public safety directors from agencies of all sizes from around the state.

The LEAF Committee meets several times yearly to exchange information and ideas relating to law enforcement issues and, specifically, to address risk reduction efforts that affect losses from employee accidents and incidents resulting from officers' participation in high-risk police activities.

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