

Questions/Concerns to be Researched, Vetted, & Resolved

CALEA Proposed Standard Revisions – 6th Edition

Standard	Implications	Questions/Concerns
<p>4.1.1 “Use of Reasonable Force” (Revised Standard/Commentary)</p>	<p>The revised commentary instructs agencies to conduct training “making it clear that de-escalation is the preferred, tactically sound approach in many critical incidents.” Crisis intervention training must be merged with a new focus on de-escalation.</p>	<p>Professional agencies universally agree with de-escalation tactics. What empirical evidence exists to tell us what is the best practice? What research confirms that CIT is not the best de-escalation policy? What evidence exists that a concentrated focus on de-escalation does not put law enforcement officers at greater risk as a whole?</p>
<p>4.1.5 “Rendering Aid After a Use of Force Incident” (Revised Commentary)</p>	<p>The revised commentary on this standard states that an officer who applied force cannot determine medical treatment actions on the subject of protective action unless another authorized employee is unable to reach the scene within a reasonable amount of time.</p>	<p>The person best capable of rendering life saving measures will most likely be the person using force. It may increase the likelihood of death to have even the slightest delay in providing such aid. This revision is bizarre. It plants the seeds of distrust against law enforcement and is definitely not the best practice. Consider this illustration: a law enforcement officer also happens to be a paramedic. This officer would be the most qualified officer on scene to determine necessary medical action, regardless of whether or not they were the one who administered force. What empirical evidence exists that this revision is best practice?</p>
<p>4.2.1 “Reporting Uses of Force” (Revised Standard)</p>	<p>This revision would require a written report whenever an employee “displays” a firearm for the purpose of gaining compliance and includes the “display” of firearms among the use of force reporting requirements.</p>	<p>When did “displaying” a firearm become use of force?</p>
<p>4.2.2. “Use of Force Data Reporting Responsibilities” (New Standard)</p>	<p>This standard would require an agency to annually collect and report statistical data to the CALEA Information Management and Reporting System Use of Force Data Table, including the display of firearms, the display of Electronic Conductive Weapons, and the number of canine releases (without bites). When referencing the display of firearms, this standard does not include the language “for the purpose of gaining compliance” as indicated in 4.2.1; interestingly, the data table guidelines include the language “for the purpose of using force for defensive action.”</p>	<p>Accreditation historically provides the “what,” and allows the agencies to determine the “how” based on their unique demographics and capabilities. This standard provides an edict, rather than a tool that could be customized to a given agency. It is also confusing and seems to be in conflict with 4.2.1; the “purpose of gaining compliance” and the “purpose of using force for defensive action” are not the same. Where is the empirical data that indicates collecting and reporting this specific data is a best practice?</p>

<p>4.2.5 “Analyze Reports from 4.2.1” (New Standard)</p>	<p>This standard would require an analysis that would identify: date/time of incidents, types of encounters, trends/patterns (race, age, gender or injury to employee), & impact on policies/practices/equipment/training.</p>	<p>What is the cost associated with this standard? Also, the limited scope of this data alone does not provide an accurate representation of the outcomes of such action, nor does it provide adequate data to establish a legitimate survey of practices, policies, equipment, and training.</p>
<p>4.2.6 “Assault on Sworn Officer Analysis” (New Standard)</p>	<p>This is an OPTIONAL standard, while the others are mandatory. It involves an agency annually conducting an analysis of assaults on law enforcement and determining trends and recommendations to enhance officer safety.</p>	<p>Why is this standard not mandatory, when other standards regarding injuries to suspects are? Where is the true concern for the victims (law enforcement officers)? This adds to the skepticism of the intent of these proposed revisions and continues to plant seeds of distrust.</p>
<p>4.2.8 “Reporting to National Database” (New Standard)</p>	<p>This would require agencies to report use of force information to a federally established national database.</p>	<p>How is reporting to a national entity a best practice? Even UCR reporting is voluntary. When did CALEA become a regulatory agency, versus an accrediting entity?</p>
<p>46.1.3 “Command Function” (Revised Standard)</p>	<p>This mandates an after-action report that includes the assessment of any impact to public trust with recommended actions.</p>	<p>How is this accurately measured?</p>
<p>46.1.12 “Crowd Control Response Training” (New Standard)</p>	<p>This requires crowd control, incident command system, use of force training during entry-level and once every four years.</p>	<p>Has a cost analysis been conducted on this standard? This standard could easily be cost prohibitive to many smaller agencies, which could jeopardize their accreditation status, resulting in the antithesis of the desired result.</p>
<p>82.1.4 “Crime Reporting” (Revised Standard / Commentary)</p>	<p>This change would make it mandatory to submit crime data to the national or state/provincial crime reporting system (UCR, NIBRS).</p>	<p>Why would this be a mandatory standard when agencies aren’t mandated to do this now, and can opt out of submitting their data? Reporting crime data to a national database should remain voluntary.</p>

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