

STATE OF GEORGIA LAW ENFORCEMENT CERTIFICATION PROGRAM

PROGRAM RULES

The program rules and guidelines are intended to lend consistency to the State of Georgia Law Enforcement Certification Program (GLECP). In some circumstances the GLECP Director, in consultation with the State Certification Committee (SCC) and/or the Joint Review Committee (JRC), may modify a rule or condition of the program. Any modification will be reported to the SCC and JRC.

The standards have been developed to provide agencies with a list of best practices for the profession of law enforcement and are intended to guide an Agency on its path to Certification. The standards each contain a declarative statement and may provide commentary. Each declarative statement is the standard the Agency is expected to meet to attain or retain Certification. All underlined words in the standards are binding and must be met to be in compliance with the standard. A Certification cycle is defined as the time between the award date and ending date as displayed on the Agency's plaque. Since training is such a high liability area, all training requirements or records must be documented in writing.

RULE I – ON-SITE ASSESSMENTS

- A. Prior to the on-site, the Agency shall be responsible for ensuring the proper contracts have been signed and are on file with the GLECP Director.
- B. On-site assessments will be performed by two assessors identified by the GLECP Director. On-site assessment dates will be scheduled by the GLECP Director, in coordination with the Agency to be assessed. Each on-site assessment will be scheduled over a two-day period.
- C. During the on-site, the Agency is responsible for providing the Team Leader with a copy of the current contract and current waivers. If the on-site is also a recertification, the Agency is responsible for providing the Team Leader a copy the previous Final Report and last two Annual Compliance Reports.
- D. During the on-site, if an Agency is not in compliance with all standards, those standards initially not in compliance must be in compliance prior to the submittal of the final report by the Team Leader, or must be reported as noncompliance in the final report. The compliance must be verified by one of the two original team members, whether by re-visit or by review of written documentation. This final

compliance review and final report must be completed within 30 calendar days of the last day of the on-site.

RULE II – RECERTIFICATION PROCEDURES

- A. Agency requests for an on-site assessment for recertification should be submitted to the GLECP Director no later than six months prior to the anniversary date of the previous certification.
- B. Certified agencies will be required to initiate a new contract every three (3) years prior to their third (3rd) anniversary date. Agencies that are accredited in good standing with CALEA may elect to participate in four (4) year cycles for its certification.
- C. Certified agencies will be required to retain only the files and records necessary to demonstrate compliance during each year of the cycle, since the previous certification award date. Once an Agency is either certified or recertified, all records must be retained in compliance with the State of Georgia Records Retention Act. Each certification file will contain the current Standard Summary Report (SSR) as well as the SSR from the previous on-site assessment. Agencies using Power DMS to maintain Certification files are not required to retain the SSRs, but will be required to display the previous assessment upon request.

RULE III FINAL REPORTS AND RECOMMENDATIONS

- A. Final reports and all supporting documents will be sent electronically to the GLECP Director who will present the report to the State Certification Committee for review and recommendation. The SCC's written recommendation will be sent to the Joint Review Committee. The SCC will recommend one of the following:
 - 1. Initial certification;
 - 2. Recertification;
 - 3. Denial of Certification; **OR**
 - 4. Conditional Certification: If an Agency seeking recertification is not able to meet all of the standards or requires additional time to show compliance with all

applicable standards, the SCC can recommend the Agency be given a conditional certification. The conditional certification can be for up to 6 months. During this time, the Agency shall take steps to address concerns or create steps to remedy issues noted in the final report. At the conclusion of the conditional certification, the Agency will be responsible for showing all actions taken and justification for receiving full certification. The SCC will review all information provided by the Agency and may elect to send a Team Leader to the Agency (at the Agency's expense) for verification of compliance. After the review is complete, the SCC will forward its recommendation to the JRC for either full certification or denial of certification.

- B. The JRC makes the final decisions regarding an Agency's certification status.
- C. Should the JRC direct that the Agency's certification be denied, the GLECP Director will initiate steps to remove the Agency's Certification plaque from the display at the Georgia Association of Chiefs of Police Headquarters. The GLECP Director will inform the Agency in writing that all items/references identifying it as a State Certified Agency must be removed.

RULE IV – JOINT REVIEW COMMITTEE – REVIEWS & APPEALS:

- A. The JRC will meet quarterly to review on-site reports. All on-sites must be concluded at least 30 days prior to the JRC quarterly review in order to be considered for certification/recertification for that quarter. The 30-day rule may be waived at the discretion of the GLECP Director.
- B. The JRC is designated as the final appeal authority for all matters related to the State Certification Program.

RULE V – REAPPLICATION PROCEDURES

- A. An Agency will be required to wait a minimum of twelve months from its contracted scheduled date of expiration or withdrawal before it will be eligible to reapply to the State Certification Program when one of the following conditions occurs:
 - 1. An Agency voluntarily withdraws after becoming initially certified from the State Certification Program; **OR**

2. An Agency allows its initial certification status to expire by not applying for recertification; **OR**
 3. An Agency fails to satisfy recertification requirements in accordance with procedures adopted by the State Certification Committee.
- B. If an Agency has been involuntarily removed from the program, the Joint Review Committee may determine a minimum time period before the Agency can re-apply to the program, which may exceed twelve months.
- C. An Agency will be required to wait a minimum of twelve months from the date of a scheduled on-site before another on-site can be scheduled when:
1. An Agency fails to demonstrate compliance with all applicable standards during its initial certification on-site assessment; **OR**
 2. Following the arrival of the assessment team, an Agency terminates an initial or recertification on-site assessment before its scheduled completion date without compelling justification; **OR**
 3. An Agency cancels an initial or recertification on-site assessment previously scheduled by the GLECP Director without compelling justification.

RULE VI – ANNUAL COMPLIANCE REVIEW

- A. Each certified Agency is required to submit an Annual Compliance Report to the GLECP Director. The report is to be submitted within 30 days of the Agency's certification anniversary. An Annual Compliance Report is not required for the year the Agency is scheduled for an on-site assessment.
- B. Any Agency reporting noncompliance with a particular standard must indicate the steps being taken to achieve compliance, and the anticipated date when compliance is to be achieved. A period of 90 days should be sufficient to achieve compliance. Should an Agency determine that additional time is required before compliance can be achieved, proper justification will be required via letterhead from the Agency CEO to the State Certification Committee for approval.
- C. Agencies are expected to maintain compliance with all applicable standards once initial certification is received.

- D. The GLECP Director shall notify the SCC in all cases when an Agency submits an Annual Compliance Report indicating noncompliance with one or more standards. The SCC will determine if compliance has been re-established or if the matter should be forwarded to the Joint Review Committee.

RULE VII – AGENCIES NATIONALLY ACCREDITED BY THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES (CALEA)

- A. Agencies nationally accredited by CALEA will be allowed to provide a copy of their final CALEA letter of notification as proof of compliance for those standards common to both the national and state programs. This rule applies to only those agencies that are nationally accredited by CALEA and that continue to maintain their national accreditation in accordance with established CALEA procedures.
- B. Such agencies will be required to submit to the GLECP Director, a copy of their final CALEA notification letter every four years immediately following each CALEA reaccreditation on-site.
- C. No CALEA standard can be considered as optional if the State Certification Program requires the standard.
- D. Assessor(s) will be appointed by the GLECP Director to perform a re-certification or initial on-site. The assessor(s) will be scheduled to verify compliance with those standards applicable to the State Certification Program, prior to the anniversary date for state recertification. In addition to a review of all applicable standards, the assessor(s) will also:
 - 1. Review the entire CALEA report of the previous assessments to ensure that the Agency is in compliance with all common standards. The assessor(s) may review any CALEA file related to the State Certification Program.
 - 2. Review all State Certification waiver requests.
- E. Agencies eligible to participate under this rule will only be required to maintain certification files for the applicable standards of the State Certification program. Should an Agency subsequently become ineligible for continuation under this rule, the Agency must show compliance for all State Certification standards on or before

its next designated anniversary date. During the assessment, the Agency must show compliance with the entire cycle. A Certification cycle is defined as the time between the award date and ending date as displayed on the Agency's plaque.

RULE VIII – WAIVER REQUIREMENTS:

A. Waiver requests are required for agencies seeking initial certification and recertification. A standard is Not Applicable (NA) to an Agency when:

1. it is determined that the Agency is precluded by law or ordinance from performing a particular function required by a standard; OR
2. the Agency has no legal responsibility to perform the function; OR
3. the Agency has justifiable reason for not complying with the provisions of a particular standard.

B. Waivers must be requested for those standards an Agency determines to be NA.

1. Waiver requests must be submitted in writing on Agency letterhead. The request must identify each standard and/or bullet to be waived and must contain sufficient justification outlining the specific reasons why the Agency should be exempt from complying with the standard. Waiver requests must be signed by the requesting Agency's Chief Executive Officer.
2. Waiver requests must be submitted to the GLECP Director prior to each on-site assessment. The submitted waivers will be effective for the subsequent 3- or 4-year cycle. For an initial on-site, the waiver request must be submitted 90 days prior to the initial on-site and will be in effect for the initial on-site AND the subsequent 3- or 4-year cycle. Exceptions to this rule will be made on a case-by-case basis by the GLECP Director.
3. It is the responsibility of the Director to submit all properly formatted waiver requests to the State Certification Committee. The SCC will review all waiver requests upon receipt. A minimum of three committee members must be present at a meeting approved by the SCC Chair to review a waiver request, or the request may be approved via an on-line email request with a minimum participation of five committee members.

4. If an Agency's obligations or practices change in a manner that requires compliance with any standard for which a waiver was previously granted, the waiver is immediately void and the Agency is required to comply with said standard.
 5. Agencies may send a representative to appear before the SCC in order to further explain the facts and circumstances supporting the waiver request from a particular standard(s). After reviewing a particular waiver submission, the SCC may decide to postpone its final determination and request that the Agency send a representative to further address the justification for the waiver. In either case, once an Agency's representative has appeared before the committee, all deliberations concerning a waiver request will be held in executive session. All motions and decisions on motions will be presented in open session.
 6. The SCC Committee's decision concerning whether a particular waiver is granted or denied will be provided in writing to the requesting Agency by the GLECP Director.
 7. An Agency CEO may submit a written appeal to the Joint Review Committee should there be a disagreement with the SCC's waiver decision. Any appeal to the JRC will have to be satisfied prior to the Agency's on-site. The JRC's decision is final and will be communicated in writing to the State Certification Committee and the Agency.
- C. During the course of an Agency's on-site assessment, the assessment Team Leader may determine that an Agency could qualify for a waiver from a particular standard(s), even though a written waiver request was not previously submitted by the Agency.
1. In such cases, the Team Leader will document his/her determination for the waiver in the On-Site Assessment Report. The Team Leader will also document the reasons why the Agency failed to submit a written waiver request as prescribed above.
 2. During the on-site, the Team Leader shall contact the GLECP Director or his designee, and explain the reasons to justify granting the waiver. The GLECP Director will then take appropriate action to determine whether or not to grant the waiver.

3. The GLECP Director or his designee will communicate his decision to the Team Leader before the end of the on-site. Should the Director not concur with the Team Leader's recommendation to grant the waiver, then the Agency will be required to demonstrate compliance with the standard under consideration.
- D. During the course of an on-site assessment, the Team Leader may determine that an Agency is in fact required to be in compliance with a particular standard(s), even though a previous waiver request was properly submitted and granted by the State Certification Committee.
1. In such cases the Team Leader will explain his/her findings to the Agency and give the Agency the opportunity to demonstrate compliance before the departure of the assessment team.
 2. During the on-site, the Team Leader shall contact the GLECP Director or his designee, and explain the reasons to justify denying the waiver. The GLECP Director will then take appropriate action to determine whether or not to confirm the waiver, or concur with the Team Leader and rescind the waiver before the end of the on-site.
 3. Should the Agency fail to demonstrate compliance with the standard in question, then the Agency will be held in noncompliance with the standard.

RULE IX – SELECTION OF ASSESSMENT TEAM

- A. The GLECP Director will have the responsibility for selecting the assessors for all on-site assessment teams. The team must be comprised of a Team Leader and an Assessor who are not currently employed by the same Agency.
- B. The assessment team will not be comprised of assessors from an Agency which is located in the same county as the Agency being assessed.
- C. An Assessor or Team Leader is prohibited from conducting sequential assessments for the same Agency.
- D. Exceptions to this rule can be made at the discretion of the GLECP Director.

RULE X – CERTIFICATION MANAGERS:

- A. CEOs of Agencies under contract for initial certification and agencies that are maintaining their certification status are required to appoint a certification manager and provide the name to the GLECP Director.
- B. Whenever there is a change in the individual appointed to serve as the certification manager, the name of the new Agency point of contact will be provided to the GLECP Director.
- C. Within twelve months of being appointed or assigned, the certification manager, or Agency employee designated as being responsible for the State Certification Program, must successfully completed the State Certification Manager Training Course.

RULE XI – ASSESSOR CRITERIA

- A. EXPERIENCE: An individual must have the following experience to become a State Certification Assessor:
 - 1. For sworn individuals who are employed by a law enforcement Agency of the State of Georgia:
 - a) a minimum of three years of Georgia POST Council recognized experience; **OR**
 - b) a minimum of two years of Georgia POST Council recognized experience **AND** be a State Certification Manager for a minimum of two years
 - 2. For non-sworn individuals:
 - a minimum of three years of experience, research, or background in law enforcement related areas of service **AND** be a State Certification Manager for a minimum of two years.
- B. TRAINING: Both sworn and non-sworn individuals must have the following training to become a State Certified Assessor:
 - 1. Successful completion of the State Certification Manager Course and State Certification Assessor Course: **AND**

2. Shadow a minimum of two assessments with favorable performance evaluations by the assigned Team Leader and Team Member. At least one of the shadow experiences must be during a State Certification on-site assessment. The shadow can be on a State Certification mock with prior permission of the GLECP Director and if the mock Team Leader is certified as a State Certification Team Leader.
3. Assessors and Team Leaders are required to attend Assessor Refresher Training at a minimum of once every three years. This training must be approved by GACP.

C. APPLICATION SUBMISSION AND SELECTION:

1. Assessor applications must be submitted on the State Certification Assessor Application form.
2. Applications must be signed by the applicant's Agency CEO who signifies that the applicant will perform a minimum of one (or two if Agency has more than 25 sworn employees) on-site assessment(s) per calendar year.
3. Applications will be forwarded to the GLECP Director for review and approval.

D. TEAM LEADER CRITERIA: Team Leaders must satisfy all assessor criteria outlined above **plus:**

1. Must successfully perform assessor duties on a minimum of three on-sites; **AND**
 - a) must receive a favorable recommendation to become a Team Leader while performing assessor duties; **AND**
 - b) must have at least five years of experience in law enforcement or as a civilian in a law enforcement related service area.
2. The CEO of the applicant's Agency must prepare a letter of recommendation on Agency letterhead for the applicant to become a Team Leader. The letter must include the applicant's rank or management position, number of years involved with the State Certification Program, and the number of successful on-sites completed.

3. The letter must be sent to the State Certification Committee for consideration and recommendation to the GLECP Director.
4. The GLECP Director will designate individuals to be Team Leaders who satisfy the above criteria.

E. PROBATION OR TERMINATION OF ASSESSOR OR TEAM LEADER STANDING:

1. The SCC has the authority to place any Assessor or Team Leader on probationary status for cause.
2. The State Certification Committee has the authority to remove a previously qualified individual from Assessor or Team Leader duties for cause.

RULE XII– SHADOWS

- A. The purpose of the shadow program is to prepare qualified applicants for assessor duties.
- B. Only one shadow should be scheduled per on-site assessment. Exceptions to this rule will be authorized on a case-by-case basis in consultation with the designated assessment Team Leader, and with the approval of the GLECP Director.
- C. Shadows will not address problem areas with Agency personnel. Any problems associated with file maintenance or validation of proofs of compliance will be brought to the attention of the Team Leader for his/her appropriate action.
- D. Under no circumstances will shadows perform the primary review of Agency certification files or be used to validate compliance of observation standards. Either the Team Leader or Member must perform these functions. Shadows will only be used as a secondary file reviewer.

RULE XIII –EVALUATION PROCESS

- A. During the course of on-sites, assessors are to informally critique each other and make suggestions when appropriate.

B. The State Certification Committee has established assessor evaluation procedures. Formal evaluation reports are required for all assessors and shadows. The GLECP Director will maintain evaluation reports. The following evaluations will be performed:

1. The assessed Agency will evaluate the Team Leader and submit it directly to the GLECP Director.
2. The Team Member will evaluate the Team Leader (and Shadow, if assigned) and submit it directly to the GLECP Director.
3. The Team Leader will evaluate the Team Member and Shadow (if assigned). These evaluations will be submitted by the Team Leader with the final report.

RULE XIV – INFORMATION CONCERNING AGENCY STATUS

Should information be presented to the State Certification Committee, regardless of the source, that a Certified Agency is not in compliance with one or more standards, the following steps will be followed:

- A. The SCC will assess whether the allegation has merit as related to State Certification Standards.
- B. If the Agency is found to be in compliance, or the allegation is without merit, no further action will be taken.
- C. If the preliminary review by the SCC cannot determine the Agency to be in compliance, one of the following will apply:
 1. If the allegation is an issue being investigated by the Federal Bureau of Investigation, Georgia Bureau of Investigation (GBI), Peace Officers' Standards and Training (POST), a District Attorney or other investigative body, the SCC's recommendation to the Joint Review Committee (JRC) will be to place the Agency under Administrative Review pending the outcome of the investigation. Should the Agency be due for a recertification on-site during the Administrative Review, the on-site will not occur until the issue is resolved.
 2. If the allegation is not being investigated by an outside Agency, the SCC Chair will notify the Agency CEO in writing, requesting that the allegation be addressed via written response, and/or response in person by appearing before

the Committee. The CEO will have 30 days to respond. Failure to respond may result in the Agency's removal from the State Certification Program.

3. Should the SCC determine that the Agency is in fact not in compliance with the standards under review, the committee shall refer the matter with a written recommendation to the JRC Chair for appropriate action, up to and including revocation of State Certification status.

4. All documentation related to the above actions will be placed in the SCC files.

- D. An Agency may request an extension of its recertification date for a maximum of 90 days from its originally contracted date for extenuating circumstances. The request must be made on Agency letterhead to the State Certification Committee and must outline the circumstances and/or reasons to justify the request for extension. The SCC will grant or deny the extension request in writing to the Agency CEO.

RULE XV – THIRD PARTY REQUESTS FOR ASSESSMENT REPORTS

Any third party request for a copy of an assessment report will be referred to the appropriate Agency for release.

RULE XVI – TECHNICAL ASSISTANCE

- A. Agencies should establish contact with other certified agencies within their respective geographical area for advice and assistance.
- B. Agencies are strongly encouraged to join the Georgia Police Accreditation Coalition (GPAC) for training and technical assistance.
- C. Other assistance is available from the GLECP Director.

RULE XVII – TRANSITION TO 6th EDITION

- A. The Sixth Edition Standards are effective on January 1, 2019. All agencies that sign an initial contract after January 1, 2019 shall be required to be in the 6th edition.

B. Agencies previously certified under the 4th Edition shall have completed their transition to the 5th Edition by January 1, 2012. Agencies shall have the choice to move directly to the 6th Edition or complete their current cycle in the 5th Edition before transitioning to the 6th Edition. No Agency shall be in the 5th Edition after December 31, 2021 (CALEA Agencies December 31, 2022).