CHAIRMAN WALTON: Ruecker. Okay. If you could please stand and take the oath.

(Witnesses sworn in.)

CHAIRMAN WALTON: If you could, please, starting with Mr. Brown, identify yourself, and then Mr. Ruecker identify yourself and tell us what you do.

MR. JAMES BROWN: Good morning. I'm James Brown. I'm the Associate Director for the Commission on Accreditation of Law Enforcement Agencies, out of Fairfax, Virginia.

CHAIRMAN WALTON: Thank you.

MR. RONALD RUECKER: Good morning. My name is Ron Ruecker. I'm the First Vice-president of the International Association of Chiefs of Police. I'm currently serving as the Interim Chief of Police in Sherwood, Oregon, and just recently retired a few months ago as the Superintendent of the Oregon State Police.

CHAIRMAN WALTON: Okay. I would ask that before we get started with the testimony, could everybody please turn off your electronic devices because I think that's what is causing the feedback. We would appreciate it. Okay. Thank you.

Mr. Brown.

MR. JAMES BROWN: The Commission on
Accreditation for Law Enforcement Agencies, Incorporated, CALEA, was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations: The International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriffs' Association, and the Police Executive Research Forum.

The purpose of CALEA'S accreditation programs 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.

Specifically, CALEA'S goals are to:

- Strengthen crime prevention and control capabilities;
- formalize essential management procedures; establish fair and nondiscriminatory personnel practices;
- improve service delivery; solidify interagency cooperation and coordination; and increase the community and staff confidence in the agency.

CALEA offers accreditation programs for law enforcement agencies, public safety communications
agencies, and public safety training academies.

CALEA also supports an additional program for law enforcement called the CALEA Recognition Program, which permits small agencies with limited resources an opportunity to receive initial professional credentialing by complying with 25 percent of the critical law enforcement standards.

The CALEA accreditation process is a proven modern management model; once implemented, it presents the Chief Executive Officer, on a continuing basis, with a blueprint that promotes the efficient use of resources and improves service delivery, regardless of the size, geographic location, or functional responsibilities of the agency.

The Law Enforcement Accreditation Program provides agencies an opportunity to voluntarily demonstrate that they meet an established set of professional standards that facilitate an agency's pursuit of professional excellence.

A Commission Board composed of 21 members governs CALEA. 11 members must be law enforcement practitioners; the balance is selected from public and private sectors. Generally, Commissioners reflect a representation from local, state/provincial, and international law enforcement
and public safety organizations, along with business, academia, the judiciary, and state/provincial and local government. Commissioners are appointed by the four founding law enforcement organizations and serve without compensation.

CALEA operates as an independent nonprofit corporation that maintains a professional staff managed by an executive director. To the best of my knowledge, CALEA has never received any Federal funds. CALEA is solely supported by fees for services paid by participating agencies.

While CALEA is an international organization, there are approximately 750 agencies in the United States in the Law Enforcement Accreditation Program. While this represents 4.4 percent of the approximately 17,000 law enforcement agencies in the United States, it also encompasses 25 percent of law enforcement officers in the United States at the state and local level.

Generally, CALEA establishes standards in a manner that states what an agency is to accomplish and leaves the details of how to accomplish it to the agency CEO who best knows applicable laws, issues, expectations, resources, and constraints.

Currently, the Law Enforcement Accreditation Program
has 459 standards in 38 topical areas. The chapter on Detainee Transportation has 20 standards, Processing and Temporary Detention has 12, Holding Facility has 44 standards, and the chapter on the Court Security has approximately 25 standards concerning detainees, which together represents 101, or 22 percent, of the standards.

Detainee Transportation is generally concerned with limited travel immediately after arrest for booking or transfer to another local facility such as a hospital, court, or jail. For example, standard 70.1.4 states "a written defective establishes under what conditions an officer may interrupt a detainee transport for necessary stops and/or to render emergency assistance."

Standards concerning Processing and Temporary Detention apply to situations when detainees are transported to a law enforcement facility, other than a holding facility, jail, or correctional facility, but under the control of the agency, for purpose of processing, testing, or temporary detention. Temporary detention is measured in hours and does not involve housing or feeding detainees, except in extenuating circumstances.

Standard 71.3.1 is an example of
requirements in this area. "A written directive governs procedures for the following: Documenting the reason, date and time in and out of the facility, and any meals, if any, that were provided during the detention;

"Supervision and accountability for processing, searching, and temporary detention of individuals within the facility;

"Securing and monitoring unattended detainees within locked spaces, if authorized;

"Temporary restraint of detainees by securing them to fixed objects, if any;

"And the separation of males, females and juveniles."

CALEA addresses Holding Facilities in Chapter 72 and considers a "Holding Facility as a confinement facility outside of a jail where detainees are housed, receive meals, and can be detained for periods involving days and overnight stays for a period not more than 72 hours, excluding holidays and weekends." CALEA estimates that half of U.S. law enforcement agencies involved in the CALEA accreditation process have holding facilities. Standard 72.6.3 is representative of standards in Chapter 72. "A written directive
requires that detainee 'receiving screening'

information be obtained and recorded when detainees

are admitted to the facility and before transfer to

another facility. Receiving screening must include an

inquiry into: Current health of the detainee;

Medications taken by the detainee;

Behavior, including state of

consciousness and mental status;

And trauma markings, bruises, lesions,

jaundice, ease of movement, et cetera."

The Court Security standard 73.5.24 is

offered as an example. "A written directive specifics

procedures for supervision of detainees of a sex

opposite that of the supervising staff member."

It is important to note that CALEA does

not set standards for, inspect, or accredit "jails."

CALEA defines a jail as "a confinement facility where

detainees are housed in excess of 72 hours." Jails

and long-term detention facilities have standards and

reviews from several organizations, including the

American Correctional Association, American

Correctional Health Services Association, American

Jail Association, along with federal and state

regulatory agencies.

I have submitted copies of the four
chapters discussed as background material.

CALEA has no standards that directly address issues concerning prison rape.

CALEA is well aware that the restriction of citizens' liberties though temporary detention or holding facilities represents areas of significant expense, close scrutiny, and high liability to agencies and their communities. In our limited role, CALEA is ready to assist the National Prison Rape Elimination Commission.

Thank you.

CHAIRMAN WALTON: Thank you.

MR. RONALD RUECKER: Good morning, Mr. Chairman and members of the Commission. On behalf of the International Association of Chiefs of Police, the IACP, I am pleased to be here to discuss the Prison Rape Elimination Act, its impact on the police community, and the role that state and local law enforcement agencies play in the investigation of crimes, sexual or otherwise, that take place in police lock-ups or other correctional facilities.

I believe it is fitting to start my comments by stating my belief that many in the police profession are only now becoming aware of PREA and its applicability to their police lock-ups and holding