

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

3 (Witnesses sworn in.)

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

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

11 CHAIRMAN WALTON: Thank you.

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

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

24 Mr. Brown.

25 MR. JAMES BROWN: The Commission on

1 Accreditation for Law Enforcement Agencies,
2 Incorporated, CALEA, was created in 1979 as a
3 credentialing authority through the joint efforts of
4 law enforcement's major executive associations: The
5 International Association of Chiefs of Police, the
6 National Organization of Black Law Enforcement
7 Executives, the National Sheriffs' Association, and
8 the Police Executive Research Forum.

9 The purpose of CALEA'S accreditation
10 programs is to improve the delivery of public safety
11 services, primarily, by maintaining a body of
12 standards developed by public safety practitioners,
13 covering a wide range of up-to-date public safety
14 initiatives; establishing and administering an
15 accreditation process; and recognizing professional
16 excellence.

17 Specifically, CALEA'S goals are to:
18 Strengthen crime prevention and control capabilities;
19 formalize essential management procedures; establish
20 fair and nondiscriminatory personnel practices;
21 improve service delivery; solidify interagency
22 cooperation and coordination; and increase the
23 community and staff confidence in the agency.

24 CALEA offers accreditation programs for
25 law enforcement agencies, public safety communications

1 agencies, and public safety training academies.

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

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

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

20 A Commission Board composed of 21
21 members governs CALEA. 11 members must be law
22 enforcement practitioners; the balance is selected
23 from public and private sectors. Generally,
24 Commissioners reflect a representation from local,
25 state/provincial, and international law enforcement

1 and public safety organizations, along with business,
2 academia, the judiciary, and state/provincial and
3 local government. Commissioners are appointed by the
4 four founding law enforcement organizations and serve
5 without compensation.

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

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

20 Generally, CALEA establishes standards
21 in a manner that states what an agency is to
22 accomplish and leaves the details of how to accomplish
23 it to the agency CEO who best knows applicable laws,
24 issues, expectations, resources, and constraints.
25 Currently, the Law Enforcement Accreditation Program

1 has 459 standards in 38 topical areas. The chapter on
2 Detainee Transportation has 20 standards, Processing
3 and Temporary Detention has 12, Holding Facility has
4 44 standards, and the chapter on the Court Security
5 has approximately 25 standards concerning detainees,
6 which together represents 101, or 22 percent, of the
7 standards.

8 Detainee Transportation is generally
9 concerned with limited travel immediately after arrest
10 for booking or transfer to another local facility such
11 as a hospital, court, or jail. For example, standard
12 70.1.4 states "a written defective establishes under
13 what conditions an officer may interrupt a detainee
14 transport for necessary stops and/or to render
15 emergency assistance."

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

25 Standard 71.3.1 is an example of

1 requirements in this area. "A written directive
2 governs procedures for the following: Documenting the
3 reason, date and time in and out of the facility, and
4 any meals, if any, that were provided during the
5 detention;

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

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

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

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

15 CALEA addresses Holding Facilities in
16 Chapter 72 and considers a "Holding Facility as a
17 confinement facility outside of a jail where detainees
18 are housed, receive meals, and can be detained for
19 periods involving days and overnight stays for a
20 period not more than 72 hours, excluding holidays and
21 weekends." CALEA estimates that half of U.S. law
22 enforcement agencies involved in the CALEA
23 accreditation process have holding facilities.

24 Standard 72.6.3 is representative of
25 standards in Chapter 72. "A written directive

1 requires that detainee 'receiving screening'
2 information be obtained and recorded when detainees
3 are admitted to the facility and before transfer to
4 another facility. Receiving screening must include an
5 inquiry into: Current health of the detainee;
6 Medications taken by the detainee;
7 Behavior, including state of
8 consciousness and mental status;
9 And trauma markings, bruises, lesions,
10 jaundice, ease of movement, et cetera."

11 The Court Security standard 73.5.24 is
12 offered as an example. "A written directive specifics
13 procedures for supervision of detainees of a sex
14 opposite that of the supervising staff member."

15 It is important to note that CALEA does
16 not set standards for, inspect, or accredit "jails."
17 CALEA defines a jail as "a confinement facility where
18 detainees are housed in excess of 72 hours." Jails
19 and long-term detention facilities have standards and
20 reviews from several organizations, including the
21 American Correctional Association, American
22 Correctional Health Services Association, American
23 Jail Association, along with federal and state
24 regulatory agencies.

25 I have submitted copies of the four

1 chapters discussed as background material.

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

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

11 Thank you.

12 CHAIRMAN WALTON: Thank you.

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

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