

COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES
Incorporated



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March 21, 2009

Mr. Ronald L. Miller
Chief of Police
Topeka Police Department
320 SW Kansas Avenue
Topeka, KS 66606

Dear Chief Miller:

Congratulations!

It is a privilege to advise you that your agency has met the requirements of a highly regarded and broadly recognized body of law enforcement standards, and was accredited for a fourth time by the Commission on Accreditation for Law Enforcement Agencies, Inc., on March 21, 2009.

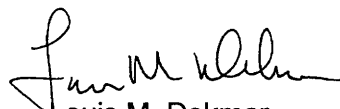
Your agency's reaccreditation represents the satisfactory completion of a continuous process of thorough agency wide self-evaluation, concluded by an exacting outside review by a team of independent assessors.

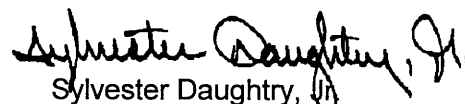
It also represents your agency's ongoing acceptance of the obligation to continue the quest for professional excellence by working toward fulfillment of any remaining applicable other-than-mandatory standards with which you chose not to comply during this reaccreditation activity, and any future standards promulgated by the Commission that may be applicable to your department.

Accreditation of the Topeka Police Department is for three years. During the period of accreditation, your initial award date of March 25 will serve as the anniversary date for submission of yearly reports verifying your agency's continuing compliance with the standards under which you became reaccredited.

On behalf of the Commission on Accreditation for Law Enforcement Agencies, Inc., we commend you and the Topeka Police Department for demonstrating commitment to professional law enforcement in policy and practice. Again, congratulations.

Sincerely,


Louis M. Dekmar
Chair


Sylvester Daughtry, Jr.
Executive Director

Topeka (KS) Police Department
Assessment Report
December, 2008

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Topeka (KS) Police Department
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A. Agency name, CEO and AM

Topeka Police Department
320 SW Kansas Avenue Suite 100
Topeka, KS 66606

Ronald L. Miller
Chief of Police

Ms. Diana Brey
Accreditation Manager

B. Dates of the On-Site Assessment:

December 6-10, 2008

C. Assessment Team:

1. Team Leader: D. Thomas Anderson
Captain, Retired
Anoka Police Department
14030 Krypton St., N.W.
Anoka, MN 55303
(763) 229-5661

2. Team Member: Linda M. Johnson
Lieutenant
Polk County Sheriff's Office
455 North Broadway Avenue
Bartow, FL 33830
(863) 535-1960

3. Team Member: Humberto I. Cardounel, Jr.
Captain
Henrico County Police Department
7721 East Parham Road
Richmond, VA 23294
(804) 328-2570

D. CALEA Program Manager and Type of On-site:

Maya Mitchell
Third re-accreditation, "D" size Law Enforcement Agency, (341 total personnel)
5th Edition Standards

The agency utilizes the CACE-L software program

E. Community and Agency Profile:

1. Community Profile:

The Territorial Legislature, on January 25, 1859, designated the City of Topeka the county seat of Shawnee County. On November 5, 1861 the citizens of the State of Kansas selected the City of Topeka the State Capital. Today, Topeka is a bustling city of 122,000 people that remains the hub of government for the state and county.

Topeka is a major manufacturing center whose corporate citizens include Frito Lay, Reser's Fine Foods, Jostens Printing and Publishing, Hallmark Cards, and Goodyear Tire & Rubber. Topeka and Shawnee County provide an abundance of college and technically educated employees, providing a well educated workforce that supports its commercial community.

Topeka was initially governed by the Mayor/Council plan. The Commission form of government was adopted in 1910 and remained in effect until 1985, when the Strong Mayor-City Council-Chief Administrative Officer plan was adopted. In 2005 citizens voted for a Council/City Manager form of government. The Topeka City Council is composed of nine members elected by district. Each City Council Member is elected to a four-year term of office. There is no limit on the number of terms that Council Members are allowed to serve. The Mayor is elected to two-year terms.

2. Agency Profile:

Ordinance Sixty Two, passed by the City Council of Topeka on February 11, 1858, under Mayor Orrin T. Welch, provided for the first police force in Topeka. "Colonel" W.L. Gordon was appointed the City Marshall and his first duty was to grade Kansas Avenue from the river to First Avenue.

In an 1887 publication we find this note of civic pride: "Topeka's police force stands second to none in Kansas. It numbers 24 men, comprising of the chief, two deputies and 21 men, with one patrol wagon and two horses".

Today the Topeka Police Department is comprised of 296 sworn officers. The agency is organized in two Divisions, Operations and Services, each under the command of a Deputy Chief. Staff functions are under the command of the Professional Standards Captain and the Executive Officer. In December, 1995 the department moved into a new police facility, from the police station built in 1937. The new Law Enforcement Center houses the Topeka Police Department, the Shawnee County Sheriff and the Shawnee County Coroner's offices. The facility is state-of-the-art which will see the department well into this century.

3. Agency Demographics:

The demographic composition of the service area and agency are represented in the following table:

	Service Population		Current Sworn Officers		Current Female Sworn Officers		Prior Assessment Sworn Officers		Prior Assessment Female Sworn Officers	
	#	%	#	%	#	%	#	%	#	%
Caucasian	95011	78%	230	86.5%	20	7.5%	250	87.4%	21	7.3%
African-American	14617	12%	10	3.8%	1	.3%	10	3.5%	1	.3%
Hispanic	10962	8.9%	19	7.1%	4	1.5%	20	7%	0	0%
Other	1218	1%	7	2.6%	0	0%	6	2.1%	1	.3%
Total	121,808	100%	266	100%	25	9.4%	286	100%	23	8%

*Available workforce data not used for recruitment goals

The ethnic composition of the agency's sworn personnel shows that African-Americans and females are under-represented in the agency's sworn workforce. It is important to note that the agency has chosen to use the service area's demographic composition rather than the composition of the available workforce to more closely reflect the service population. The agency has an Affirmative Action Plan in place that is designed to remedy under-representations.

4. Future Issues (agency and community):

A primary challenge facing the agency is continued policy development. The agency faced several challenges in this area during the past two years; Use of Force, Racial Profiling and Police Pursuits were policies that required immediate attention. The Use of Force Policy was changed into a more mainstream defensive action concept in conformance with US Department of Justice recommendations and training of all personnel completed and repeated over a two year period. Update training will continue in 2008-2009. Cultural Competency training was introduced to all sworn personnel to address training to prevent racial profiling. Police Pursuit policy revisions were introduced to better regulate vehicular and foot pursuits. Policy now requires supervisory review and intervention and a classification system designed to eliminate unnecessary pursuits.

The City will have a new form of city government, changing from a strong mayor form to a council/manager form which will require adjustments in a number of

areas. Additional challenges include negotiating labor agreements in these tough economic times, leadership and management training for all command staff officers, expanding community policing and operating in the state capital where an intense and aggressive media covers the various levels of government.

5. Biography of CEO:

Mr. Ronald Miller was appointed Chief of Police in Topeka in 2006 and is in his 36th year of Kansas law enforcement. He began his career in 1972 with the Kansas City, Kansas Police Department and rose through the ranks to serve as Chief of Police for six years.

Chief Miller holds a Bachelor's Degree from the University of Central Missouri and a Master's Degree from Wichita State University. He is a graduate of the FBI National Academy, the Southern Police Institute and the Senior Management Institute for Policing at Harvard University.

Chief Miller is active on several committees and boards in Topeka and serves with national police organizations. He has received several awards including the Clarence M. Kelley Award for Excellence in Law Enforcement Administration in the Kansas City Metropolitan area. He is also a graduate of Leadership Greater Topeka.

F. Public Information Activities:

Public notice and input are a corner stone of democracy and CALEA accreditation. This section reports on the community's opportunity to comment on their law enforcement agency and to bring matters to the attention of the Commission that otherwise may be overlooked.

a. Public Information Session

The Public Information Session was held at 7:00PM on Monday, December 8, 2008 in the Topeka Police Department Training Room A. Twenty-six persons attended and eleven addressed the team. Four speakers were law enforcement peers from the region that praised the agency's professionalism and spirit of cooperation in dealing with local and regional law enforcement issues. Three speakers were members of the city's Human Rights Commission who spoke very positively of the agency and its willingness to collaborate in making Topeka a safe place to live for all citizens. One was the chair of the Citizen Patrol Coalition of Topeka-Shawnee County. He praised the CEO and the agency for supporting the Coalition in their efforts to promote safe neighbors and the Chief's encouragement to expand the effort city wide. One speaker represented the downtown business community and spoke to the high level of cooperation

and responsiveness of the agency personnel in dealing with issues in the city's center. A citizen of Topeka spoke highly of the prompt and professional services the agency provided. The remaining speaker was Mr. Norton Bonaparte, the City Manager who welcomed the assessment team and expressed his pride in the agency and its re-accreditation efforts.

b. Telephone Contacts

The Open Telephone Session was held from 1:00PM – 4:00PM on Monday, December 8, 2008. The assessment team received three phone calls. All calls were from law enforcement peers in the region expressing their support for the agency's accreditation effort. A fourth call was received the day after the session and was from a citizen that expressed several concerns about issues facing the agency. All the issues raised by the caller were reviewed with agency staff and none was found to impact compliance with any standard.

c. Correspondence

The assessment team received two letters from peers in the region who expressed admiration for the agency. They described the agency as a high quality professional organization and strongly supported the agency's re-accreditation effort.

d. Media Interest

When the assessment team arrived at the agency on Sunday, December 7, 2008 they were met by two local media outlets. KTKA Channel 49, an ABC affiliate and WIBW Channel 13, a CBS affiliate were provided brief interviews by Assessor Anderson. Assessor Anderson outlined the CALEA accreditation program, the purpose of the current assessment, and the means by which citizens could provide information to the assessment team and the Commission. WIBW and KSMT Channel 27, an NBC affiliate attended and filmed the early portion of the Public Information Session.

e. Public Information Material

The agency's public information activities ensured a broad distribution of the appropriate information announcing the onsite assessment, public information session and phone session. The public notice was posted in public buildings throughout the City of Topeka and was provided to the various media outlets, including the city's Public Information Channel. The agency's web page included the assessment schedule, emphasizing the various means by which interested persons could contact the assessment team and the Commission.

f. Community Outreach Contacts

The assessors were able to interview agency personnel from many components of the agency through visits to the various units, riding with patrol and attendance at patrol shift briefing. All agency personnel were professional, well versed in their area of responsibility and very proud to be part of the agency.

Assessors had the opportunity to speak with two members of the city's Human Rights Commission who are also members of the agency's Law Enforcement Partnership Panel (LEPP). While each had their own set of priorities in terms of community concerns, all were unanimous in their support for the agency and Chief Miller. They stressed that his willingness to meet with their organization and constituents in addressing issues such as bias-based enforcement or immigrant issues. Mr. Bell, the Chairman of the Human Relations Commission related that agency staff recently attended a Town Hall meeting where racial profiling issues were discussed. Mr. Michael Bell further stated that the Chief and his staff are working with his organization to ensure policing is right for everyone in the community. Ms. Lorean Williams, also a member of the Human Rights Commission, echoed Mr. Bell's comments. She further stated she supports the Police Department and wants to ensure accountability on all sides as it relates to racial profiling issues and other community concerns.

Assessors also spoke with Ms. Tina DeLarosa who is employed by the Kansas Department of Labor and serves with several organizations such as the LEPP and the Hispanic Community Relations Committee. She also attended the agency's Citizen's Police Academy to gain a better understanding of law enforcement and establish a working relationship with the agency. She spoke highly of the agency and the willingness of Chief Miller to collaborate on issues of importance to the immigrant community.

Mr. Fred Martinez, Chair of the Citizen Patrol Coalition of Topeka-Shawnee County told of starting the Coalition in 2005 with a small number of citizens with the intent to work in their own neighborhood. With the encouragement of Chief Miller, the organization has expanded to nearly two hundred members that patrol neighborhoods throughout the city and into neighborhoods in Shawnee County. While the organization is separate from the agency, a Community Policing Officer acts as a liaison with the Coalition. Mr. Martinez was appreciative of the support he receives Chief Miller and his staff.

G. Essential Services

Law Enforcement Role, Responsibilities, and Relationships and Organization, Management, and Administration (Chapters 1-17)

Agency employees are provided clear expectations and behavioral parameters in all areas of operations. The agency has comprehensive directives that define the authority of the agency and its employees. The directives include the fundamental duty of protecting citizens' civil liberties in the course of performing the various responsibilities imposed on law enforcement personnel. The directives illuminate the agency's policy regarding the use of force, custodial arrest, search and seizure, right to access to counsel, right to refrain from self-incrimination and the right to be free from all forms of harassment and bias based law enforcement practices.

The agency demonstrates, by directive and practice, a firm dedication to the preservation of the civil liberties of the community. Agency personnel are well trained in both the agency's written directives and legal precepts with regard to these issues.

The agency's organizational structure is clearly described in agency directives and graphically depicted in chart form. The agency's lines of authority and chain of command are clearly presented in agency directives so that all personnel have a clear understanding of whom they are responsible to in all circumstances. Directives clarify issues of precedence of rank and establishment of command in situations where several agency components are involved in an incident.

The agency's Reserve Officers serve as an adjunct to the uniformed services. Reserves have the same law enforcement authority as any sworn officer when they are on-duty. The selection process and criteria is the same for reserve and police officers. Initial training is comparable to that of full-time sworn personnel. Field training and in-service training is the same for reserve officers as it is for police officers, including use of force policy and weapons proficiency training.

The agency has three categories of auxiliary personnel; Police Cadets, Police Chaplains and Volunteers in Police Service (VIPS). The Cadets are members of an Explorer Post 721 and primarily assist the agency with community service activities and traffic direction at special functions. The VIP program consist of administrative tasks such as filing, and data input and patrol tasks such as traffic control, neighborhood patrol and vacation house checks. Training is provided to all volunteers for the duties to which they are assigned.

The CEO is responsible for the preparation and administration of the agency's annual budget in cooperation with the city's budget director. Each organizational component prepares budget requests and submits them with justifications to the CEO for consideration. The proposed budget is then forwarded to the budget director and the city manager. After review, the city manager forwards final budget proposal to City Council. Monthly budget reports are available from the agency's accounting system detailing the status of each line item. The agency maintains numerous cash funds in various components of the agency. All cash managed by agency personnel is strictly controlled with quarterly accounting. Each transaction is accompanied by detailed

records. Asset inventory is properly controlled and maintained in accordance with city directives.

Bias Based Profiling

The agency provides very specific guidelines and annual training regarding bias-based law enforcement activity. The agency prohibition of any bias-based activity is clear and unqualified. All sworn personnel have completed Cultural Competency training within the past two years. The agency has an internal review process of practices in place to ensure compliance with this prohibition. Included in this internal review is a documented annual review by the Professional Standards Unit that includes any citizen concerns. The agency does not collect demographic traffic contact data.

Bias-Based Policing Complaints			
	2006	2007	2008
Complaints	2	5	4

Complaints of bias-based police practices received by the agency are very few, but are thoroughly investigated. The agency’s activities and practices receive comprehensive introspection and, to date, have been found to be free from motivation by bias.

Use of Force

Use of Force	2005	2006	2007
Firearm			
Protect self or others	3	5	11
*Active Pointing	-	-	7
Total Discharge at Person	3	5	4
Destroy Animal	4	7	11
Electronic Controlled Weapons	117	87	52
Baton	8	4	4
Oleoresin Capsicum	53	20	13
Weaponless	63	62	75
Total Types of Force	251	190	177
Total Use of Force Arrests	**	**	**
Complaints	10	6	2
Custodial Arrests	8125	8170	7925

*In 2007, the agency began tracking active pointing as a use of force

** The agency does not break out arrests in which force was used. This information is maintained in the individual incident reports.

Each officer involved in the application of force is required to prepare a Defensive Action Response Report detailing the incident and the force applied. The reports are forwarded through the chain of command where the incident is reviewed at each level. Personnel at each level make a determination as to whether the application of force

was appropriate and in compliance with agency directives and applicable law before forwarding the report to the next level. These reviews are not limited to legal and procedural issue, but include equipment and communications matters. The final review is in the form of the annual analysis which seeks to identify trends, training issues, equipment needs and the necessity for policy modifications.

Since the revised Use of Force (now the Authorized Defensive Actions) policy in the past two years, applications of force are generally reduced with a shift to more weaponless applications.

Annual re-training in the agency's Authorized Defensive Actions Policy is required and documented. Agency personnel demonstrate proficiency with each lethal weapon they are authorized to employ on a semi-annual basis. This exceeds standard requirements. Proficiency training for less lethal weapons is provided at least biennially.

Personnel Structure and Personnel Process (Chapters 21-35)

Sworn personnel from line officers through sergeants are represented by the Fraternal Order of Police. All non-sworn personnel are represented by the Kansas Association of Public Employees. Labor agreements include compensation, benefits and working conditions. Written agreements are in force through 2009 for sworn personnel and through 2008 for non-sworn staff. Agency directives describe the agency's bargaining team and its commitment to "good faith" bargaining consistent with ground rules agreed upon by both parties. When agreements are made, signed copies are distributed to appropriate agency supervisory personnel and agency directives are reviewed and, as necessary, revised to comply with the agreements.

The agency has a comprehensive performance evaluation system for both sworn and non sworn personnel. The purpose is clearly defined as one which provides a means of guiding the agency toward the achievement of its mission, core values, and overall goals and objectives. The system is utilized as a tool to guide employee performance toward the achievement of agency goals, as well as to assist the employee with performance weaknesses while enhancing employee strengths.

Rater responsibilities are clearly defined and on-line accessible instructions are provided for reference as needed. Raters are trained in the performance evaluation system as part of their supervisor academy. Such training sessions were conducted both in 2006 and 2008 during this reaccreditation cycle.

Written comments are required for all "Exceeds" or "Unsatisfactory" ratings to substantiate such a rating. Employees are notified in writing 90 days prior to their evaluation if their performance does not meet agency expectations. Employees are given the opportunity to both sign and make written comments on their evaluations. Quarterly evaluations are completed on all probationary employees.

The agency has a written three step process in their Employee Assistance and Intervention Program (EAIP) which consists of the identification of indicators of possible problems, the intervention decision process and actual Intervention. Indicator thresholds are evaluated every six months. An EAIP database is required to be maintained with Division Commanders having complete access and supervisory control. Information reporting is required from Internal Affairs, the Chief's Office, the Accident/Pursuit Board and payroll. Division Commanders are required to involve supervisors in their threshold review process and create both quarterly and annual reports providing them to the Chief of Police.

Grievances

A detailed process by which employee grievances may be brought forwarded and resolved is detailed in agency directives and the city grievance procedure. The process provides for several steps of grievance review with procedural and temporal parameters clearly established for moving through each step. Those employees covered by collective bargaining agreements have additional access to the process as it is replicated in the agreements. The agency analyzes employee grievances on an annual basis and is documented to the CEO in a combined effort of the Deputy Chiefs.

Grievances	2006	2007	2008
Number	21	7	1

Given the size of the agency, it experiences few grievances. The elevated number of grievances in 2006 was largely attributed to strained employee relations during the search for a new CEO.

Discipline

The agency provides employees with a detailed code of conduct that clearly establishes agency expectations of all employees. Sexual harassment is prohibited and the importance of this issue is emphasized by being addressed in directives set forth by the agency and in the City Personnel Manual.

Positive reinforcement is a major component of the agency's disciplinary system. Agency personnel may be recommended for a variety of awards by any member of the agency. The recommendation is forwarded up the chain of command to the Division Commander who passes recommendations to the agency CEO. Employees are recognized at the annual awards ceremony and may wear their citation bars on their uniform.

The agency combines training, counseling and punitive discipline in the disciplinary system. Supervisors at each level are well trained in their responsibilities for employee discipline. All disciplinary actions are fully documented. Employees may challenge

disciplinary actions through the steps provided both in agency directives and applicable collective bargaining agreements. The agency provides its employees with clear expectations and boundaries. The community is provided law enforcement services by disciplined professionals who are held accountable for their actions.

Recruitment and Selection

The agency's sworn personnel reflect the demographic composition of the service population with the exception of an under-representation by African Americans and females. The use of the service population demographics exceeds the standard requirement of available workforce demographics. The agency has in place a recruitment plan with measurable goals that emphasize the recruitment of members of the protected classes, particularly females and African Americans. The agency's recruiting is broad based, including all colleges in the area and a multi-media effort.

The agency has an active recruiting process which is performed by several members within the agency. The members are trained prior to attending a recruiting location and are provided excellent recruitment materials, including color brochures. An impressive video presentation supplements the recruitment materials featuring agency personnel describing why they sought a career in law enforcement and why the agency is an excellent place to practice their profession.

Topeka Police Department 2005/2006 Sworn Officer Recruitment Activity				
Race/Sex	Applications Received	Applicant Hired	*Percent Hired	**Percent of Workforce Population
Caucasian Male	665	23	1.49%	NA
Caucasian Female	115	3	0.19%	NA
African-American Male	81	3	0.19%	NA
African-American Female	32	0	0.0%	NA
Hispanic Male	68	1	0.06%	NA
Hispanic Female	14	1	0.06%	NA
Other	203	2	0.13%	NA
Total	1545	33	2.1%	NA

*Percent Hired = Percent to total applicants for year

**Workforce data not available

As an equal opportunity agency, the recruitment plan is well thought out and is analyzed and updated annually by recruitment personnel in order to evaluate the progress toward recruitment goals. A formal report to the CEO is prepared triennially providing a detailed assessment of progress toward recruitment goals and recommendations for future strategic action. The primary goal is to provide a ratio of minority group employees in approximate proportion to the minority population in the

city. Of thirty-three officers hired from 2005-2006, nine (27%) were members of protected classes. In 2007, no officers were hired due to a city hiring freeze.

All elements in the selection process are job related and are administered and scored in a uniform manner. The agency maintains communications with applicants and candidates for employment throughout the process. All applicants are notified at the time they submit their application the duration of the entire process, elements of the process and the agency's policy regarding re-application. Applicants not selected are notified in writing within thirty days of the end of the process. All records are maintained according to Civil Service rules and the City's Records Retention Schedule.

Training

The agency has a well defined Training Advisory Board chaired by the Services Deputy Chief. Procedures for the use of outside training resources, including travel, expenses, and training cost reimbursements are well defined. Computerized training histories are maintained for all employees. Course content documentation is provided for all in-house training. The agency serves as a satellite training facility for the Kansas Law Enforcement Training Center providing recruit training for agency recruits as well as recruits from other agencies in the region. Recruit training is the Kansas Law Enforcement Training Commission mandated basic training program. The Field Training Program is mandated to be twenty-four weeks, subsequent to successful completion of the academy training. The elements of that program and the required documentation are well defined.

Kansas statutes require forty hours of in-service training annually for all sworn officers. The agency consistently exceeds this requirement with quality training that includes legal updates. Roll call training is utilized to keep agency personnel current on salient issues and is documented in training records. The agency operates an emergency response team whose training is both copious and well documented.

Promotions

The CEO retains responsibility for the direction of the promotional process and is assisted by representatives of the Civil Service Board and City Human Resources Department. The CEO determines the selection and promotion process for the ranks of Lieutenant, Captain, Major and Lieutenant Colonel in accordance with city code. Lateral entry is permitted at the line level and may be available for command positions such as Lieutenant, Captain, Major and Lieutenant Colonel.

The agency has a police promotion board consisting of six members, three sworn members who are appointed by the CEO and two members from an outside municipal law enforcement agency which consists of an authorized workforce of at least twenty-five officers. The final member of the board is appointed by the Human Resources

Director of the City of Topeka, and is a non-voting member. Each member serves until a successor is appointed.

Promotions to the ranks of Sergeant and Detective are filled after successfully completing a written test, interview and promotion board examination. The board in turn compiles the promotion list by ranking members according to their final scores. The CEO then makes a selection from the top four candidates on the list. Promotions to the rank of Corporal are made by the CEO without recommendations from the Board. All elements of the selection process are job-related and non-discriminatory.

Law Enforcement Operations and Operations Support (Chapters 41-61)

The agency provides patrol services on a 24-hour basis through a system of staggered shifts that provide for continuous call response. Officers and detectives are required to attend roll call briefing before going in service or the start of their shift.

The agency has several special purpose vehicles to include bicycles, a helicopter, motorcycles and Segways. The Bicycle Unit is utilized in high crime areas, as well as problem areas as determined through crime analysis. The Bicycle Unit conducted 768 self-initiated activities during the first quarter of 2008 demonstrating this unit is proactive and focus driven. Their main concentrated efforts were on traffic and targeting suspicious activity.

The Canine Program provides specially trained handler/dog teams charged with assisting officers and the community in crime suppression through criminal apprehension and evidence recovery. They patrol high crime areas and conduct proactive policing, narcotics detection, and explosives detection.

Body armor is provided to sworn personnel and replaced as needed. Officers are encouraged to wear their body armor and if they choose not to they must maintain it in a location where it is immediately available. In situations involving pre-planned, high-risk situations the wearing of protective vests is mandatory.

The agency has detailed directives pertaining to alcohol/drug impaired driving enforcement. Before any officer engages in alcohol/drug impairment related enforcement they must be certified in Standardized Field Sobriety Testing. The agency also has specially trained officers as Drug Recognition Experts.

The agency provides a full range of criminal investigation services that are available on a 24-hour basis via an on-call system. Patrol officers conduct nearly all preliminary investigations. Cases are then forwarded to investigators who complete follow-up investigation and manage the case to conclusion. The agency participates in five investigative task forces to include the Federal Bureau of Investigations (FBI) Joint Terrorism Task Force; the Alcohol Tobacco and Firearms (ATF) Violent Crimes Task

Force; the Drug Enforcement Administration (DEA) Task Force; the United States Marshal's Fugitive Task Force; and the FBI Field Intelligence Group.

The primary function of the Narcotics Unit is to reduce violent crime, and to investigate those involved in possession and sale of illegal drugs and guns. A secondary function of the unit is to investigate vice related matters such as prostitution, illegal gambling, liquor violations and other similar activities. The Narcotics Unit is responsible for collecting and disseminating intelligence information pertaining to drug enforcement, gang related activities, organized crime behavior, vice related investigations, and any other matter assigned by the CEO.

The agency has a comprehensive juvenile program. Procedures for dealing with juvenile offenders, including in-custody situations, are well defined. Juvenile programs are reviewed and critiqued at least annually. All agency members are charged with the responsibility to be familiar with juvenile problems and established procedures for handling both criminal and non-criminal juvenile incidents as defined by agency policy and the Kansas Juvenile Code. The agency participates in and/or sponsors short lectures to specific school classes or school functions when requested. School Resource Officers present gun safety programs at Topeka Middle Schools and also present Gang Resistance Education and Training in middle schools.

Inspections are a primary responsibility of supervisors and managers at every level of the agency. The inspection process is designed to evaluate the quality and efficiency of agency operations, confirm goals and objectives are being pursued, identify the need for additional resources and provide information to assist in planning for desired changes.

Line inspections are conducted to ensure employees are acting in concert with agency requirements in such areas as personal appearance, use and maintenance of equipment and adherence to agency directives and orders. Written officer inspection reports are completed monthly by the employee's supervisor. Watch Commanders and Section Supervisors are required to complete and submit to the Division Commander a Monthly Watch/Unit Inspection Report identifying areas of concern within their respective command. Supervisors are to immediately follow-up to ensure corrective action has been taken concerning unacceptable conditions or performance with written verification be forwarded to the Deputy Chief.

The agency strives to foster a cooperative climate with authorized news media representatives by assisting in their efforts to gather factual, public information pertaining to activities of the agency, while not allowing this cooperation to unduly interfere with operations, infringe upon individual rights or violate the law. A meeting is held annually with local news directors to gauge how operations are working and to evaluate what can be done to improve communications.

Although the CEO and the Public Information Officer (PIO) are the principal spokespersons, all officers in the agency are authorized to furnish timely news information to the news media upon request. Any agency employee may speak with member of the media, after receiving the approval of the appropriate supervisor/commander. The primary responsibility of providing information to the media on incidents handled in the field rests with the Field Commander. A PIO is the principal spokesperson when major crime scenes, operations or disasters occur in the City of Topeka. In multi-agency endeavors the PIO is to refer any information requests to the agency having primary jurisdiction.

The rights of victims and witnesses are defined by State law and described in brochures provided by the agency. The agency's Victim Assistance Coordinator prepares a triennial review of victim/witness needs and available services. The most recent review included the results of a survey of victims who has received services from the agency. The services received a rating of 4.31 with 5.0 being the highest possible rating. This review assists the agency in determining which needs are not met and how the agency can improve the services it provides. Brochures related to victim/witness rights are routinely distributed by the agency. Guidelines are in place for the provision of protection to victims or witnesses who have been threatened or intimidated. Appropriate guidelines for providing victim/witness services during preliminary and follow-up investigations are in place.

Crime Statistics and Calls for Service

The Crime Prevention Unit reviews crime trends by type and geographical area and implements programs to address the community's perceptions of crime. They are responsible for implementing, actively promoting and developing new crime prevention programs as needed. The Crime Prevention Unit currently offers Neighborhood Watch, Burglary Protection, Personal Safety Attitude, Robbery Prevention, Defusing Hostile Situations, Business Security Surveys and Operation Identification programs to the community. The agency promotes public safety and confidence in law enforcement through implementation of crime prevention and community relations programs. Various brochures offering safety tips are also utilized throughout the city in an effort to educate citizens and help reduce the chances of becoming a victim of crime.

YEAR END CRIME STATISTICS

	2006	2007	2008
Murder	9	12	9
Forcible Rape	57	48	37
Robbery	311	310	274
Aggravated Assault	295	355	287
Burglary	1478	1428	1563
Larceny-Theft	6651	5665	5102
Motor Vehicle Theft*	625	691	686

Arson	12	10	10
Total Calls for Service	149753	143974	137034

* Includes license plate thefts per KS statute

A documented evaluation of crime prevention programs offered by the department was completed by Chief Miller in April of 2008. While major crimes in general have trended lower over the past three years, the Chief intends to increase the Crime Analysis Unit by two persons, continue to focus on targeted crime prevention strategies, and actively pursue Intelligence Led Policing initiatives from the platform of CompStat Meetings.

Vehicle Pursuits

Officers are permitted to pursue violators when they can articulate probable cause to believe the violator has committed a felony, misdemeanor or traffic violation, and the violator clearly exhibits the intention of avoiding apprehension. Even when circumstances meet authorized requirements for pursuit, an officer must still consider several specific risk factors outlined in agency directive. Only one secondary unit is authorized to assist an initiating officer during a pursuit. Motorcycles and unmarked vehicles may initiate a pursuit, but must relinquish primary pursuit duties to a marked unit when one arrives. A supervisor may decide to initiate, continue, reinstate or terminate a vehicle pursuit based on consideration of all relevant factors surrounding the offense.

The Chairman of the Accident/Pursuit Review Board is required to prepare an annual pursuit analysis of the cases reviewed in comparison to the previous year. The Chairman is encouraged to make recommendations for training and/or equipment needs based on the analysis. The report is distributed to the Chief, Assistant Chief, Division Commanders and the Training Unit.

PURSUIITS	2005	2006	2007
Total Pursuits	112	83	73
Policy Compliant	111	80	66
Policy Non-compliant	1	3	7
Accidents	63	17	15
Injuries (officer/suspect/third party)	5	5	5
Traffic offense	52	58	57
Felony	18	14	11
Misdemeanor	7	4	3

A decrease in pursuits has been noted for 2007 after a new policy took effect requiring supervisory approval or concurrence at the onset before a pursuit can continue.

Critical Incidents, Special Operations and Homeland Security

The Operations Deputy Chief is responsible for planning responses to critical incidents. Detailed plans for the management of critical incidents are in place and have been successfully implemented in training and emergency response environments. The Incident Command System (ICS) is incorporated into all plans. Planning is in place to provide for all component functions included in the ICS.

Each element of the agency's All Hazard Plan is trained annually. Incorporated in this training is ICS. All equipment for critical incident response is inspected and those inspections are documented. Agency documents demonstrated that the agency's critical incident planning and dignitary protection planning are comprehensive and effective. The agency's responses are efficient, well documented and reviewed with an eye toward continued improvement.

Internal Affairs and Complaints against employees

The agency has clear directive requiring the investigation of all complaints against the agency or agency personnel. Definitions are provided that guide supervisory personnel in deciding which level of response by the agency is appropriate, depending on the nature of the complaint or concern. The agency makes available information to the public on procedures to be followed in registering complaints/compliments involving the agency or employees through their web site. Brochures both in English and Spanish are available to the public detailing these procedures. Complainants are kept informed of the status of the complaint from the point it is received through completion.

Internal affairs investigations are completed by the Professional Standards Unit and must be completed within fifteen days. Extensions on investigations can be granted by the CEO if he determines continued investigation is necessary.

Complaints and Internal Affairs Investigations

External	2005	2006	2007
Citizen Complaint	41	57	26
Sustained	2	8	2
Not Sustained	4	6	3
Unfounded	19	24	8
Exonerated	16	19	13
Internal			
Directed complaint	2	5	9
Sustained	0	2	5
Not Sustained	1	0	1
Unfounded	0	0	2
Exonerated	1	3	0

Detainee and Court Related Activities; Auxiliary and Technical Services (Chapters 70-84)

The agency provides clear and complete procedural guidelines by which officers perform detainee transports safely with maximum security for the detainee as well as the officer. Unmarked units are allowed to transport detainee, but strict requirements are in place to ensure the task is performed safely. The agency recently placed a prisoner transport vehicle in field service. In addition, marked units are equipped with safety shields, disabled interior rear door latches and disabled rear window controls. At the beginning of each shift and prior to and at the end of each transport, officers are required to inspect and search their vehicle for contraband and weapons.

The agency provides clear guidance regarding the use of restraint devices and methods to be used in the restraint of detainees. When using handcuffs officers are directed to handcuff the detainee behind their back, double lock and inspect for fit and adjust as necessary. Exceptions include elderly arrestees, those incapable of placing their hands behind their back and handicapped arrestees. Supplemental restrains include: leg restraints if the person is violent or agitated and they are inadequately restrained; flex cuffs if handcuffs are unavailable or to restrain multiple detainees. For situations involving the restraint of mentally disturbed arrestees in which extreme violent behavior is displayed or such person possesses a significant threat to themselves or the arresting officer a stretcher with attached restraining devices may be used and if needed the EMS personnel are utilized.

The agency only has one room that is used for detainee testing. The agency's policy stipulates that it maintains a DUI testing room. Prisoners are not left unattended while being tested. The room has video monitoring and is equipped with a panic alarm. Agency directive requires officers to secure their weapons in a Level 1 security type holster while administering the test and be cognizant of their less lethal weapons security. Officers are instructed to take reasonable measures to prevent the injury or escape of their arrestee while in the testing area. The agency does not hold detainees for any reason other than DUI testing.

The agency's records management system is well organized and secure. Access to the agency's Records Section is restricted to agency authorized personnel only. Access to the area is by key fob and corresponding identification card ensuring that only authorized personnel gain entry. Automated entry logs and manual entry logs are maintained and track access to the secured area. Access to the records area during overnight hours is restricted to third shift commanders, supervisors and permanently assigned duty officers. Juvenile records are separated from adult records by the color of the file folder and by a special designator with the case number.

The communications function is provided by a Regional Dispatch Center that serves the Topeka Police Department, the Shawnee County Sheriff's Department, the Topeka Fire Department and the Silver Lake Fire Department. The agencies that operate under the existing Communications system utilize an 800 megahertz trunked radio system. All transmissions on designated talk groups and telephone calls into the

center are recorded electronically onto DVD-RAM and are securely stored for two years.

Calls for service may be received on any incoming line including the 911 lines. The center provides 24-hour service including two-way radio communication between the center and agency personnel. Misdirected calls are referred to the appropriate agency or jurisdiction through the center's consoles that have preprogrammed telephone numbers for other agencies/jurisdictions.

The Communications Center uses ArcView for their mapping software and New World for their Computer Aided Dispatch (CAD) system. All calls to the center are logged into CAD with the exception of animal control calls which are recorded on dispatch cards. CAD automatically assigns a control number to each entry for later retrieval/reference.

The agency's Scientific Investigation Unit is tasked with providing 24-hour services for processing crime scenes and traffic crash scenes. The primary function of the unit is collection, preservation, treatment and identification of physical evidence. In addition to agency directives, the agency also subscribes to the practices set forth in the Kansas Bureau of Investigation's Laboratory Evidence Manual and the FBI's Guidelines for DNA Evidence. Agency directives detail the collection of photography and video evidence. The agency converted to an all digital photography system in 2006. Agency directives govern the processing of fingerprints for evidentiary purposes. Governance is predicated on manuals and guidelines established by the Kansas Bureau of Investigations and the Office of the Kansas Attorney General.

Property and Evidence

The agency provides personnel detailed guidance in the storage of evidentiary and found property including the requirement that all such property be properly placed in agency storage prior to the end of an officer's shift. There are secured lockers for the temporary storage of property when the property room is closed or unavailable. The lockers automatically lock when closed and cannot be reopened without a property room technician. Narcotics lockers require both a property technician and the case agent be present when retrieving the narcotics to be processed and entered into the property system. The agency's policy provides for the storage of "special" items in two other areas aside from the main property room when access to the Property Unit is unavailable. Large items are temporarily secured in a bin in their secured underground parking garage. Evidence requiring refrigeration is placed in an evidence refrigerator located next to the property lockers

The agency's Property & Evidence Procedure requires personnel to notify the Property Unit anytime there is a change in the classification of the item in storage. The agency has a specific form to note the appropriate change in classification. All information pertaining to the status of property is automated and maintained in a database. Agency policy prescribes that a final disposition be assessed within six months after all

legal requirements have been met. Property that is unclaimed is disposed of after 180 days.

All required audits and inspections are completed in a timely fashion. When deficiencies are noted they are corrected and the corrective action is documented.

H. Applied Discretion Compliance Discussion:

This section provides specific information on standards found to be in compliance after on-site “adjustments” were made. Adjustments may include modifying agency policies and directives, creating documentation, and an alteration of the physical plant.

The assessment team identified two standards for which the application of discretion was required.

*41.2.7 The agency has a written directive regarding the interaction of agency personnel with persons suspected of suffering from mental illness that addresses:
d. documented entry level training of agency personnel (M)*

ISSUE: The agency’s written directive did not address training for non-sworn personnel who interact with the public.

AGENCY ACTION: The written directive was revised to include appropriate training for non-sworn personnel. The training was provided and documented prior to the assessment team completing the on-site assessment.

*81.3.1 Security measures for the communications center are in place to:
d. provide security for transmission lines, antennas, and power sources (M)*

ISSUE: Assessors discovered that the door to the area that housed the backup generator that served the Law Enforcement Center, including the communications operations for the agency was not locked. It was determined by interview that without the knowledge of the agency, a city physical plant supervisor had decided to leave this area unlocked to accommodate the necessary entry of other workers and contractors.

AGENCY ACTION: Upon notification of this security lapse, agency personnel immediately took action to secure this door and ensure that it remains secure.

I. Standards Noncompliance Discussion:

There were no noncompliance issues identified.

J. 20 Percent Standards:

CALEA agencies must be in compliance with at least 80% of applicable other than mandatory (O) standards. The agency is free to choose which standards it will meet based on their unique situation.

The agency is in compliance with 92.8% of applicable other-than mandatory (O) standards.

K. Future Performance / Review Issues

This section reports on directives that appear to meet the intent of standards but the directives initial established time line for completion of required activities has not be met (“wet ink”). These requirements are reported to emphasize that these activities must be completed in the appropriate time frame.

35.1.9 A written directive establishes a Personnel Early Warning System to identify agency employees who may require agency intervention efforts. The system shall include procedures for: a-f (M)

Through self-assessment activities, the agency discovered that their current policy on Employee Assistance and Intervention Program (EAIP) did not meet their needs and did not match their current capabilities to capture self imposed behavioral indicators, incidents and subsequent thresholds. The agency was capturing required data, but did not have the capability to enter the data into the agency’s EAIP Database System which was accessible to those commanders responsible for monitoring and reporting agency members who met or exceeded established/self-imposed thresholds. Not wanting to reduce the desired indicators and incidents the agency wanted to capture, in order to simply meet the agency’s current EAIP Database category capabilities, the agency set forth on a mission to improve this process. It was discovered during the on-site assessment that great strides have been made to accomplish this goal however full implementation is still a work in progress. While this standard has been minimally in compliance, the proposed system will fully comply with and exceed standard requirements when fully operational. Future review will be required to ensure that the program is operational and in compliance.

L. Table: Standards Summary:

	<u>TOTAL</u>
Mandatory (M) Compliance	<u> 304 </u>
(M) Noncompliance	<u> 0 </u>
Other-Than-Mandatory Compliance	<u> 64 </u>
(O) Noncompliance	<u> 0 </u>
(O) Elect 20%	<u> 5 </u>
Not Applicable	<u> 87 </u>
 TOTAL	 <u> 460 </u>

M. Summary:

The previous assessment team found the agency's files to be in excellent condition with only ten standard files requiring additional documentation, no standards found in applied discretion. This assessment team found the agency files to be in excellent condition with complete proofs of compliance. Only two standards were returned for file maintenance and two found in applied discretion. The assessment team carefully reviewed the standard files and found, in all cases, that the proofs offered and agency practices were in compliance with CALEA standards. The agency filed each of the required annual reports since the last assessment in a timely fashion. The 2007 report announces the appointment of Ronald Miller as the agency's Chief. No other salient issues were identified in either report.

The Topeka is a full service law enforcement agency. The principles of Community Policing are basic components in the delivery of law enforcement services with a high priority placed on pro-active efforts. Agency personnel are well trained and well equipped to deliver high quality services. By way of formal and informal relationships with other law enforcement and private sector agencies in the region, the agency is able to provide high quality law enforcement and public safety services to meet all the needs of the community in a cost effective manner. A prime example of agency's efforts to provide the most service value for the budget dollar is its motorcycle program. The agency received six new, fully equipped motorcycles each year for use in that year through a creative agreement with the manufacturer for a very nominal sum, far below the value of one motorcycle. In addition, the manufacturer covers the cost of all maintenance for these vehicles.

A community survey was sent to Topeka residents in May of 2008. The survey was administered by Olathe based company, ETC, which conducts such surveys throughout the country. Of the 1,500 surveys distributed, 426 residents responded. The results showed that most residents are pleased with the customer service they receive from their Police Department.

The agency has a Crime Prevention Unit and a Community Services Unit through which the agency makes regular and continuous attempts to engage the citizens they serve. Crime prevention programs are targeted for identified problems. Numerous and varied programs have been presented in response to these identified problems. Programs are regularly evaluated as to their relevance and timeliness. The agency seeks to have input whenever possible concerning various city codes and ordinances.

Included in the effort to engage citizens in dialogue is a program designed and implemented by Chief Miller. The Law Enforcement Police Partnerships brings to the table community members from many of the community stakeholders that might be initially seen as adversarial to the agency. The resultant lines of communication and face-to-face discussions have resulted in enhanced understanding and respect on

many levels. While disagreements certainly remain, the foundation for a frank exchange of ideas in an atmosphere of mutual respect has been laid.

The agency's website is a well-used tool for communication with the agency's constituency. The website provides access citizens access to the agency and its services in a convenient venue while permitting the agency to provide a broad range of information to the citizens.

The agency is proactive and creative in dealing with the current era of shrinking budgets and expanding workload. The agency, through its participation in a number of joint powers operations and task forces is able to provide the community it serves with a range of high quality within the fiscal confines of today's economic reality.

N. Recommendation:

The assessment team realizes that the final decision regarding accreditation rests with the Commission. It is the consensus of the assessment team that the Topeka Police Department is in compliance with all applicable standards. It is the recommendation of the team that the agency receive re-accreditation at the next Commission meeting in Raleigh, North Carolina.

D. Thomas Anderson, Captain (Ret.)
Team Leader