

CIVIL ACCREDITATION STANDARDS

NEW YORK STATE SHERIFFS' ASSOCIATION, INC.

FOR SHERIFFS' CIVIL DIVISIONS



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Preamble

The purpose of this manual is to support and strengthen the delivery of services provided by the Civil Divisions of Sheriffs' Offices throughout New York State, and to enhance public understanding and confidence in the Office of the Sheriff. Consistent with the mission of this program, these standards address the civil law enforcement responsibilities carried out by sworn Deputy Sheriffs, as well as the essential duties performed by civilian personnel who support civil operations.

The 2025–2026 revision cycle represents the most comprehensive update to the Civil Accreditation Program since 2013. During this period, the Civil Accreditation Committee conducted a full review of all standards, resulting in the consolidation and renumbering of numerous provisions, the elimination of outdated or redundant requirements, and the refinement of civil-specific expectations. These revisions were undertaken to improve clarity, enhance usability, and ensure that the standards reflect current law, best practices, and the operational realities of Civil Divisions across the state.

The standards contained in this manual represent the minimum level of performance expected by Civil Divisions. Sheriffs are encouraged to exceed these requirements whenever possible to promote professionalism, accountability, and excellence in service.

Should any standard conflict with newly enacted legislation, the provisions of such law shall immediately supersede the affected section and be deemed incorporated into this manual.

Each Sheriff's Office seeking NYSSA Civil Accreditation must provide written documentation demonstrating compliance with every applicable standard. This may be accomplished through written policy statements, general orders, or other directives signed by the Sheriff. Documentation must clearly describe how each standard has been implemented within the agency.

Mission

TO ENHANCE THE SERVICES PROVIDED BY THE
CIVIL DIVISIONS OF THE OFFICE OF THE
SHERIFF THROUGHOUT NEW YORK STATE AND
TO IMPROVE THE PUBLIC PERCEPTION AND
APPRECIATION OF THE WORK PERFORMED BY
THESE AGENCIES.

History of Manual Revisions

This Manual was prepared in the early 1990's by the members of the NYSSA Inst., Inc.'s Civil Accreditation Committee. The original members of the committee were:

Thomas Higgins, Chairman - Erie County Sheriff
Francis Giles, Niagara County Sheriff
Allen Capwell, Wyoming County Sheriff
Philip Prinz, Putnam County Undersheriff
Michael DeVall, Chief Deputy, Albany County Sheriff's Dept.
Thomas Ferraiuolo, Captain, Suffolk County Sheriff's Dept.
Pat Flynn, Chief Deputy, Erie County Sheriff's Dept.
Joseph McGraw, Advisor to the Committee
Thomas A. Mitchell, Deputy Counsel, New York State Sheriffs' Association

In 2012/2013, a committee of Civil Division supervisors reviewed the accreditation manual, and made many suggestions to modify the standards, as well as to allow waivers as to some standards for counties which have achieved law enforcement accreditation through the New York State Division of Criminal Justice Services. The committee consisted of:

Stephen Sklenar, Wayne County
Edward Vlack, Genesee County
Edward Nemitz, Yates County
Patrick Flynn, Erie County (ret.)
Kimberly Ward, Tioga County
Ron Bill, Broome County

The 2012/2013 changes, which were effective with the distribution of this revised manual, are as follows:

- 1) When a standard refers to the civil office of Sheriff, a rule that applies to the entire agency will suffice. There is no need to develop a rule or policy developed specifically for the Civil Division in these cases, and an agency's rule or policy is sufficient.
- 2) Counties that have law enforcement accreditation will receive a waiver for specified civil accreditation standards that are the same as those for law enforcement accreditation. In those counties, we will ask the Sheriff to certify that the Civil Division is in fact in compliance with those standards. We will also allow assessors to ask for copies of the law enforcement accreditation files, or appropriate documents, in their discretion. So, counties will not have to create a file for those standards which are covered by the waiver process, but assessors can still, either on a spot-check or as needed basis, ask to see how the Civil Division is complying.
- 3) The waiver would be valid only as long as law enforcement accreditation is still in place. We will also ask that the Sheriff advise us if, for any reason, the law enforcement accreditation lapses or is terminated.

If the standard is civil-specific so that no waiver applies, counties will be expected to document compliance each year. Upon a reaccreditation assessment, assessors will be able to check these standard files – either all of them, or on a spot-check basis, as the assessor determines is needed.

- 1) Documentation for each year can simply be added to the file for that standard; the Sheriff does not need to create a new file each year for each standard.
- 2) Standards available for the waiver if the Sheriff has law enforcement accreditation are: 1-14; 16-17; 19-27; 29-32; 34; 36-39; 40-43; 47-49; 51; 53-61; 63; 66-71; and 77-94.
- 3) Standards 37, 38, 39, 45 and 52 have been revised in this latest manual. Standard 44 has been eliminated.

In 2025/2026 another review was conducted and revisions made by the following committee of Civil Division supervisors:

Jesse Genter, Broome County Civil Division
Wendi Curtis, Chenango County Civil Division
Nicole Malbouf, Madison County Civil Division
Kimberly Lombardoni, Tioga County Civil Division
David Smith, Seneca County Civil Division
Thomas A. Mitchell, Counsel, New York State Sheriffs' Association

Changes made to the civil accreditation standards in 2025/2026 include:

- **Re-numbered standards 35-121, per Appendix B**
- Minor language revisions to standards 15, 17, 35-41, 44, 49, 53, 54, 56, 65, 66, 67, 69, 70, 74
- Substantive changes to standards 18, 33, 35 and 77 (new #'s)
- **Split Standard 107 into 109, 111, 113**
- **Added NEW standards in 110, 111, 113**
- Elimination of standards:
 - Old 72 (incorporated into 77)
 - Old 74 (incorporated into 77)
 - Old 76 (incorporated into 112-116)
 - Old 101 (incorporated into 35-41)
 - Old 108 (incorporated into 77)
 - Old 109 (incorporated into 35-41)
 - Old 110 (incorporated into 35-41)
 - Old 111 (incorporated into 35-41)
- Blank, reserved for future use: 28

Effective January 2027, the standards available for the waiver if the Sheriff has law enforcement accreditation are:

1-14; 16; 19-32; 34; 42-49, 52-54, 56, 58-68, 70-76, 78-95

A Guide to Accreditation/Re-Accreditation

Every Agency has the option to compile their accreditation files using paper folders and supporting documents or a digital solution such as Power DMS.

- A) If paper folders are utilized It is strongly suggested that all items in the standard folder (written policies/procedures, corresponding documentation) be highlighted and tabbed to assist the assessors in locating pertinent information (color coded allows for greatest efficiency). This saves a great deal of time during the on-site assessment.
- B) If Power DMS is utilized the agency should be prepared to provide a workstation with access to Power DMS for each assessor, preferably with one large screen per person, or two smaller screens. This allows the assessor to efficiently view each standard and its corresponding documentation. Assessor user credentials should be arranged two weeks prior to the scheduled on-site assessment date and provided to the assessors via email. Please consult the separate **Guide for Power DMS Assessments**.

If an agency would like an assessor to make an on-site visit prior to accreditation, you may contact the NYSSA to arrange a visit.

Every agency requesting accreditation shall prepare a printed **Standard Compliance Report** for each standard, with the agency's portion completed. These reports will be gathered at the completion of the assessment and submitted to the NYSSA for their records. A copy should be kept by the Agency as well.

When a standard refers to the Office of Sheriff, a rule that applies to the entire agency will suffice. There is no need to develop a rule or policy developed specifically for the Civil Division in these cases, an agency's rule or policy is sufficient.

Counties that have law enforcement accreditation will receive a waiver for standards **1-14; 16; 19-32; 34; 42-49, 52-54, 56, 58-68, 70-76, 78-95** that are the same as those for law enforcement accreditation. In those counties we will ask the Sheriff to certify that the Civil Division is in fact in compliance with those standards. Assessors will be permitted to ask for copies of the law enforcement accreditation files at their discretion. Counties are not required to create accreditation files for those standards which are covered by the waiver; however, assessors may request to see how the Civil Division complies with any standard.

A county's waiver is valid only as long as their law enforcement accreditation is still in place. The Sheriff must advise the NYSSA of any lapse or termination of law enforcement accreditation.

Counties with a law enforcement waiver are expected to document compliance with all Civil-specific standards. Said documentation should include samples from the most current year of the assessment period, or, in the instance where an activity has not been performed in the current year, the next most recent year of the five-year period. If an activity has not been performed within the current five-year assessment period, a letter stating such from the sheriff will be sufficient. Assessors may, at their discretion, request documentation showing compliance for any year covered under the current five-year assessment period.

I. PERSONNEL

A. Recruitment

STANDARD 1

Written documentation shall establish that the Office of the Sheriff will adhere to Equal Opportunity and Affirmative Action Guidelines.

COMMENTARY

The Equal Employment Opportunity Commission guidelines for testing procedures apply not only to initial selection, but also to the assignment, advancement and promotion of personnel. These guidelines, enforced by the Federal courts, prohibit employment discrimination against any group protected by the 1964 Civil Rights Act; this includes women, as well as minorities.

Under the Extension Act of 1972 (Public Law 91-261) the authority of the Federal Equal Employment Opportunity Commission was extended to cover the employment practices of state and local government agencies. The Equal Employment Opportunity Commission guidelines prohibit the use of any test that adversely affects the hiring of classes of persons protected by the Civil Rights Act unless the test has been validated and evidences a high degree of utility, and suitable alternative tests are unavailable. Validation requires proof that the test will predict job performance or will detect important elements of work behavior connected to the job for which the candidates are being evaluated. Most written tests of mental ability, particularly IQ tests, have not been validated.

STANDARD 2

Documentation, in addition to a written policy, must establish that for every entry level position, there is a job announcement. Such announcements must include the following components, pursuant to the Civil Service Law (where applicable):

- A) A description of the duties associated with the position to be filled.
- B) Requirements that must be met to qualify for the position.
- C) Information that prospective candidates need to know about the application process.
- D) Notice that the agency is an Equal Opportunity Employer.

Job announcements must be sufficiently advertised in the community through the news media.

COMMENTARY

Many Sheriffs hire deputies and civilian personnel solely by their discretion, and without public announcements, due to the personal liability that Sheriffs have for civil subordinates. A determination must be made whether reliance on a Sheriff's discretion, or adherence to standard practices, is appropriate for the hiring of civil personnel.

B. Selection

STANDARD 3

A written policy statement, supported by appropriate documentation, shall set out the sequential steps of the Office of the Sheriff's hiring practice.

COMMENTARY

The Office of the Sheriff's hiring procedure should include the following steps for Deputy Sheriff positions (these are not listed in appointed sequential order):

- A) Application screened
- B) Letter sent to appear-deadline
- C) Background questionnaire completed
- D) Photo card
- E) Fingerprint fee
- F) Physical Fitness Screening Test
 - 1) Pass/Fail
- G) Written Exam
 - 1) Pass/Fail
- H) Oral Exam
 - 1) Pass/Fail
- I) Background Investigation
 - 1) Mental Hygiene
 - 2) Credit Bureau
 - 3) Fingerprint Records
- J) Hearing Test
 - 1) Pass/Fail
- K) Medical Exam
 - 1) Pass/Fail
- L) Psychological Exam
 - 1) Pass/Fail
- M) Personal Interview with Sheriff
- N) Final Selection

A list of fully qualified candidates will be given to the Sheriff for a selection of the exact number of candidates needed to fill existing vacancies.

STANDARD 4

Documentation, in addition to a written policy, must be provided to establish that the Sheriff designates a person(s) or position(s) responsible for administering selection activities. The agency must maintain written documentation that describes all components of the selection process. Agency records must denote the title of the person or group having the authority to appoint new officers.

COMMENTARY

The selection process within the agency must be under the control of the Sheriff or his designee. The sequential steps used by the agency must be enumerated in demonstrating how an applicant becomes a member of the agency.

STANDARD 5

Written documentation shall establish that all candidates for Deputy Sheriff shall be required to possess a high school diploma or its equivalency.

COMMENTARY

The high school education requirement for the selection of police officers has prevailed for many years. Whereas high school graduation once served as an index of superior achievement, this is no longer true in an era of increasing high education. It is likely that the future will see some period of college work specified as a prerequisite for initial police employment.

So that agencies can deal effectively with civil law enforcement problems in an increasingly complex and sophisticated society, there should be parallel increases in the level of education and training required for law enforcement agencies. Officers who have received a broad, general, formal education have a better opportunity to/gain a more thorough understanding of society, to communicate more effectively with citizens, and to engage in the exploration of new ideas and concepts. College education also tends to facilitate subsequent in-service training during an officer's career.

Officers already appointed should be given opportunity and incentives to pursue college education.

STANDARD 6

Written documentation, in addition to a written policy, shall establish that the age for candidates for Deputy Sheriff shall be in conformity with the age span for all police officers as set out in Civil Service Law Section 58, and/or current applicable law.

COMMENTARY

The existing law on age span for police officers is contained in Civil Service Law, section 58, whose provisions concerning age parameters are presently under attack in federal court. Although there is some contention that Civil Service Law age requirements have no application to the Office of the Sheriff, this standard suggests but does not require that Deputy Sheriffs comply with the requirements of that law.

Current Civil Service Law provisions require a police officer applicant to be at least 20 years old, but not older than 43, with some adjustments for military service.

Because most departments do not have civil service coverage for Deputy Sheriffs performing civil duties, it is not uncommon for persons over age 43 to be hired for these (and other civilian) positions.

In any event, this standard would apply only to new candidates for appointment. Part-time deputies would not be expected to meet this standard.

STANDARD 7

Written documentation, in addition to a written policy, shall establish that all candidates for Deputy Sheriff must meet height, weight, and physical fitness standards as prescribed by the Municipal Police Training Council.

COMMENTARY

The Municipal Police Training Council has been in the business of prescribing Height, Weight, and Physical Fitness Standards for Police Officer Candidates for close to thirty years and has, from time to time, amended such standards to conform to legislative changes and case law. No authority, judicial or other, has ever denied that physical fitness is essential to the job of civil law enforcement and the MPTC standards are designed to ensure physical fitness.

In adopting the MPTC Standards for police officer candidates as the official standard of compliance for all the offices of Sheriff within New York State, each agency is encouraged to review the procedures currently utilized and where required, take appropriate steps to bring said procedures into compliance with MPTC standards.

Compliance with this standard will prove beneficial to Deputy Sheriffs individually, as well as to their Association.

Deputy Sheriffs, whether performing civil or criminal law enforcement duties, are considered "police officers" for various purposes. Unless the state legislature creates a new category of "Civil Deputy Sheriff", which does not now exist, state mandates for Deputy Sheriffs should apply to those deputies assigned to the sheriff's Civil Division.

This standard is not intended, at present, to apply to part-time officers.

STANDARD 8

Written documentation, in addition to a written policy, shall establish that candidates for Deputy Sheriff will be required to successfully complete an emotional stability and psychological fitness examination prior to appointment to probationary status, using valid, useful and non-discriminatory procedures. Such screening must be conducted by qualified professionals.

COMMENTARY

This standard requires that candidates for Deputy Sheriff successfully complete a psychological screening test. It expresses the concern of the New York State Sheriffs' Association that civil law enforcement personnel are psychologically healthy and capable of enduring emotional stress.

Police stress is a matter of great concern to police professionals today and is regarded as a critical problem in all areas, urban and rural. Increased levels of ability to handle police stress can be anticipated following psychological screening of candidates, designed to eliminate those who are emotionally or otherwise unfit for police service.

The basic objective of the psychological screening program is to identify those individuals who, in moments of severe or sustained stress in field conditions, would either disorient under stress and become immobilized, or conversely, overreact and precipitate a crisis.

The purpose of the psychological screening program is essentially to screen out unfit candidates, rather than predict good ones, since "good" performance measures are, as yet, virtually impossible to validate and raise serious fair employment issues.

Only psychologists or psychiatrists are to be used to assess the emotional stability and psychological fitness of candidates. Law enforcement officers, personnel technicians, or other agency staff should not attempt to interpret psychiatric or psychological profiles. Only qualified psychologists or psychiatrists shall make such judgements to ensure proper interpretation and legal defensibility of the selection process.

It is recommended that a record of the results of emotional stability and psychological fitness examination(s) be maintained on file. The agency should also maintain a report of each emotional stability and psychological fitness examination to ensure that proper procedures are followed, and to provide data for continuing research and legal defense, if needed.

STANDARD 9

A written directive shall require that all candidates for Deputy Sheriff and civilian personnel be interviewed prior to appointment. The directive shall require that the oral interview be conducted using a set of uniform questions. Those questions must be valid and non-discriminatory, with the results recorded on standardized forms. Appropriate documentation shall be provided.

COMMENTARY

An interview is an integral component of the formal process for the selection of qualified police applicants.

Face to face contact can be used to measure job-related characteristics and personal attributes not readily measured by other components of the hiring process.

The interview results must be recorded and evaluated using job-related criteria.

The interview is meant to complement required psychological examinations and background investigations and other selection tools such as polygraph examinations.

The Sheriff may appoint a panel to conduct these interviews, but the Sheriff may conduct a separate personal interview with the candidate.

The attributes measured may include such traits as oral communication, self-confidence, self-control, persuasiveness, analytic ability, ethics, creativity, and awareness of social environment.

Rating scales should be designed to result in realistic and statistically significant differences in appraisals.

Legal requirements suggest that the forms be retained in the applicant's files. They may be used in defense of litigation on adverse impact, etc.

STANDARD 10

Written documentation, in addition to a written policy, shall establish that all candidates for Deputy Sheriff prior to selection must undergo a thorough standardized background investigation by the Office of the Sheriff to determine that they possess acceptable moral character for a law enforcement officer.

COMMENTARY

A background investigation permits the systematic collection and evaluation of data concerning an applicant's life including information concerning his educational history, work record, physical and emotional health, character and integrity.

An adequate background investigation should be quite comprehensive, covering family data, education, employment, medical and military history, mental hygiene, residences, organizations and affiliations, references, credit record, police record and phone number.

As far as practicable, information concerning a Deputy Sheriff candidate should be gathered through personal interviews with people who have knowledge of his activities.

A sample standardized questionnaire set out in Appendix 1.8A contains the in-depth information required, thus making the initial employment application very simple and concise.

STANDARD 11

Documentation, in addition to a written policy, must be provided to establish that all verbal and written tests used in the selection process are administered, scored, evaluated and interpreted in a uniform non-discriminatory manner.

COMMENTARY

The formal process for the selection of qualified applicants should include a written test of mental ability or aptitude. The mental ability of an applicant should be measured using job related ability or aptitude tests. These job-related ability tests should meet the requirements of Federal Equal Employment Opportunity Commission guidelines.

The Offices of the Sheriff which are civil service shall continue to utilize the civil service-administered testing process for entry level applicants.

Offices of the Sheriff which are not civil service shall require entry level applicants for officers to successfully pass an entry level New York State civil service examination for the position of officer or an equivalent examination. Candidates shall be considered for employment as long as they are certified as having passed the civil service examination for officers and are on a currently valid civil service list. The results of the civil service testing and the score obtained by the applicant shall be advisory in nature to the hiring agency and any ranking criteria of applicants shall be at the option of the hiring agency. Applicants for civilian positions may be required to take such written tests as the Sheriff may require.

Written tests must be valid and nondiscriminatory to be used as part of the selection process. This is true for any test used or relied upon by the agency, including those which are commercially developed and those used by state and local civil service commissioners. All cutoff scores, passing points, and/or numerical rankings used in the selection process should be documented as having validity, utility, and a minimum adverse impact.

Any operational elements of the process--time limits, oral instructions, practice problems, answer sheets, and scoring formulas--should be clearly set forth and carried out identically for all candidates. Failure to do so may prohibit validation of the process and make the agency more susceptible to legal challenges. The selection of qualified candidates requires that all the components of the process be consistent with those applied and administered in actual practice.

The agency shall maintain and have available for inspection all records and data which will disclose the impact of tests and other components of the selection process by identifiable race, sex, and ethnic group. Documentation must be available in the event of litigation or allegations involving alleged discrimination.

STANDARD 12

Documentation, in addition to a written policy, must be provided to establish that records of entry level candidates who have been selected or rejected will be maintained for a minimum of six years beyond the duration of their employment, and/or in accordance with the Education Law.

Exit interviews should be conducted on all personnel upon leaving their position. Documentation for such an interview shall be maintained in that employee's personnel file.

COMMENTARY

The record to be kept should include:

- A) Written examination results
- B) Physical agility test results
- C) Medical examination results
- D) Emotional stability psychological findings
- E) Oral interview results
- F) Background investigations

STANDARD 13

Documentation, in addition to a written policy, must be provided to establish that all officers take an appropriate oath of office to enforce the law and uphold the Constitution of the United States, the Constitution of the State of New York, and any other applicable requirement.

C. Training

STANDARD 14

Written documentation, in addition to a written policy, shall establish that Deputy Sheriffs shall be required to successfully complete the basic course for police officers as prescribed by the Municipal Police Training Council. This requirement shall not apply to Deputy Sheriffs who are not responsible for the enforcement of the general criminal laws of the State of New York and are not mandated to receive this MPTC training by General Municipal Law Sec. 209-q.

COMMENTARY

Since the Municipal Police Training Council was created in 1960 and mandated training for police became a reality in New York State, (the first in the nation), the basic course for police as prescribed by the MPTC has been recognized as essential to superior police performance. Most Deputy Sheriffs have for years been a part of this training program and this Standard now makes mandatory the successful completion of the Basic Course by all duly appointed Deputy Sheriffs.

GML Section 209-q requires all police officers who are "responsible for the prevention or detection of crime and the enforcement of the general criminal laws of the State" to complete the MPTC basic course. At least one court has held that all deputies, because they are police officers, must have this training - even if the deputies are assigned exclusively to jail duties. The office of BMP takes the position that all deputies, even those assigned to Civil Divisions, must have MPTC training.

It is intended by this standard that if a deputy may be assigned to perform criminal law enforcement duties, he or she must have the required MPTC training. Thus, it is not simply the assignment of the officer to the civil unit, but rather a review of his or her actual duties that will determine whether the MPTC training is required.

STANDARD 15

A written directive shall require a Field Training Officers Program (FTO), which Deputy Sheriffs must successfully complete. Such a program must last a minimum of four weeks and be completed in a timely manner, within one year of the recruit's assignment to the Civil Division or assigned to civil duties. The officer recruit, who may not necessarily be a recent hire, must be accompanied and supervised by an MPTC certified Field Training Officer or other Civil Division supervisor approved by the Sheriff. The program content shall be approved by the Sheriff, person in charge of the Civil Division and the agency's Training Director, and shall contain, in addition to any requirements imposed by the foregoing personnel, at a minimum, the following:

- A. Daily written evaluations, including:
 - 1. Proper application & completion of civil forms
 - 2. Correspondence with attorneys & creditors
 - 3. Proper use of internal forms, reports & schedules
 - 4. Grammar, spelling, technical terms
- B. Specific performance criteria, including:
 - 1. Officer safety
 - 2. Driving skills, routing skills
 - 3. Knowledge of local codes and civil law
 - 4. Stress & non-stress situations
 - 5. How to levy, evict, conduct sales, etc.
 - 6. Radio protocol
 - 7. Acceptance of criticism
 - 8. Proper service methods & record keeping
- C. Observed interaction with
 - 1. FTO
 - 2. Ethnic groups
 - 3. Supervisors & co-workers
 - 4. The public generally

Documentation must establish that such a program is properly conducted.

COMMENTARY

In addition to the training and skills taught in the classroom, a field training program for all probationary, first-year deputies will be provided by all agencies. This program of on-the-job training shall be as carefully administered, supervised and evaluated as the formal classroom training for it is here that good and lasting street habits can be properly acquired. Examples of F.T.O. Programs for various size offices of the Sheriff are maintained at Association Headquarters and are available upon request.

This FTO program should be focused on service and enforcement of civil process and is to

be distinguished from a FTO program for regular law enforcement deputies.

A "Civil Division supervisor" may include a senior deputy when the Sheriff designates that person to be the day-to-day supervisor.

A sample Civil officer evaluation form from Tioga County is presented in **Appendix A** at the end of this manual as an example of what a FTO program for Civil officers should include.

STANDARD 16

Written documentation, in addition to a written policy, shall establish that Deputy Sheriffs are mandated to complete an annual course of in-service training. A minimum of twenty-one (21) hours will be dedicated to the following course areas:

- A) Use of force
 - 1) Justification (Penal Law Art. 35)
 - a) Lecture
 - b) Evaluation
- B) Firearms Qualification
 - 1) Range program
- C) Defensive Tactics
 - 1) Use of police baton, or other impact instrument
 - 2) Use of chemical agents, if used by the agency
 - 3) Proper use of handcuffs
- D) Multi-Media or First Responder Course
 - 1) First Aid (Multi-Media Standard First Aid)
 - 2) CPR
- E) Legal Mandates ***
 - 1) Law updates
 - 2) CPLR
 - 3) CPL
 - 4) V&T, etc.

*** May be fulfilled by either classroom presentation or publication.

COMMENTARY

All civilian personnel shall receive instructions and updates on statutory and procedural changes to the Civil Division. Documentation shall be retained of the materials covered by such instruction or updating.

STANDARD 17

Written documentation, in addition to a written policy, shall establish that Deputy Sheriffs and civilian personnel shall successfully complete Phase 1 and Phase 2 of the Basic Civil School conducted by the NYSSA within one year of appointment.

Deputy Sheriffs and civilian personnel are encouraged to attend the Civil Refresher training conducted annually by the NYSSA.

Any waiver of these training requirements shall be determined by NYSSA in consultation with the assessors assigned to the county making the request.

COMMENTARY

The NYSSA has sponsored a Basic Civil School since 1977. Participation is at the discretion of each Sheriff; however, completion of Basic Civil School is required to achieve Civil Division accreditation. Courses are generally offered annually. A county seeking accreditation may request a waiver of this requirement. Prior to granting any waiver, NYSSA will consult with the assigned assessors. Factors considered may include:

- A) Whether and how many other officers and staff have completed Civil Division training
- B) Duties of the officer or staff member for whom a waiver is requested
- C) Length of time for which any such waiver is requested
- D) Reasons why the officer or staff member have not completed Civil Division training
- E) Any other factor deemed relevant by the assigned assessors.

STANDARD 18

Written documentation, in addition to a written policy, shall establish that Deputy Sheriffs promoted to a first-line supervisory rank will be required to successfully complete the course in Police Supervision, as required by Title 9 Part 6021.7, within two years of appointment.

Any waiver of this training requirement shall be determined by NYSSA in consultation with the assessors assigned to the county making the request.

NYSSA conducts annual Civil Supervisor training (i.e. “Civil Supervisors Conference”) which both sworn and civilian supervisory personnel are encouraged to attend.

COMMENTARY

Pursuant to an Executive Order promulgated by the Governor, police officers appointed to first-line supervisory positions on or after July 1, 1967, must satisfactorily complete the course in police supervision. Adequate supervision and management of a law enforcement agency—or any business—requires specialized training in the principles and key components that determine the effectiveness of organizational administration.

Many Sheriff’s Offices have long participated in the mandated police supervisory course and NYSSA-sponsored Civil Supervisor training. This standard further bolsters this indispensable training in supervisory methods and techniques.

STANDARD 19

Documentation, in addition to a written policy, must be provided to establish that officers shall not be authorized or permitted to carry or use any firearm in connection with the performance of their official duties, with the exception of authorized departmental firearms training, unless such officers have satisfactorily completed that portion of an approved Municipal Police Training Council Program or a program that meets or exceeds those requirements that constitute the basic course of instruction in the use of deadly physical force and in the use of firearms.

COMMENTARY

Prior to using any personal or agency issued firearm on or off duty in connection with the performance of official duties, a new officer must have completed a basic firearm training program.

STANDARD 20

Documentation, in addition to a written policy, must be provided to establish that the instructors used by the agency to provide the required 21-hour in-service training be certified in accordance with instructor standards and qualifications as set forth in Part 6024 or 6025 of the New York State Codes, Rules and Regulations or meet similar instructor standards and qualifications as set forth and administered by the agency.

COMMENTARY

An agency that sets its own instructor standards must have written instructor standards and qualifications. Evidence must show that the agency adheres to these standards.

STANDARD 21

Documentation, in addition to a written policy, must be provided to establish that the second-line supervisors and above receive annual training including in-service training and managerial skills as specified by the Sheriff.

COMMENTARY

It is the intent of this standard to continually provide managerial skill level training to upper management. Various mechanisms are available to meet this training, such as private industry, professional seminars, college courses, and video.

STANDARD 22

Documentation, in addition to a written policy, must be provided to establish that the Civil Division maintains accurate records for all training courses attended by members of the division including a list of agency members who attended such courses. A copy of the course curriculum must be maintained as prescribed by law.

COMMENTARY

All agency members attending training courses not sponsored by the agency must obtain a copy of the course curriculum to be maintained by the agency as an official training record.

STANDARD 23

A written directive shall require that the Civil Division maintains accurate records for all training courses that it sponsors, including in-house training, and shall include notes from staff meetings and meetings with other agencies or organizations when civil matters are discussed. Lesson plans and an official copy of the course curriculum must be maintained as prescribed by law. Documentation must establish that such directives and procedures are properly applied and recorded.

COMMENTARY

Departmental and divisional level staff meetings traditionally include matters that can be considered training, whether specific to a particular agency or more general in nature. It could involve a statute change or a procedural modification. Also, many agencies take part in cooperative, informal meetings with other local Civil Divisions to discuss common issues. These are extremely helpful and a record of such meetings must be kept.

Agencies that have not maintained lesson plans on file have lost some civil court cases. The plans should thus be maintained indefinitely.

D. Discipline

STANDARD 24

Written documentation, in addition to a written policy, shall establish that the Office of the Sheriff will adhere to standards established by the contractual negotiations, civil service law, departmental regulations or other statutory requirements in respect to disciplinary practices.

COMMENTARY

There should exist a standard policy with respect to disciplinary procedures.

Effective discipline is a positive process seeking "to train or develop by instruction." Among the programs having an impact on discipline, in a law enforcement agency, are selection, training, direction, supervision, and accountability, all of which are independent elements.

Discipline and accountability are essential to a law enforcement agency whose integrity can only be maintained by an effective and responsive disciplinary system. A clearly defined policy governing an agency's internal discipline, when established, will provide a predetermined method of informing the public and members of the agency when charges prove sustained or unfounded.

Some sheriffs' offices, whether by adoption of civil service coverage or by labor contract, provide for notice of charges and a hearing to determine whether there is good cause for discipline or discharge. Other offices, however, discipline or discharge civil deputies solely at the sheriffs' discretion.

STANDARD 25

Documentation, in addition to a written policy, must be provided to establish that a written directive specifies the circumstances in which an employee may be relieved from duty.

COMMENTARY

The intent of this standard is to establish the powers and authority of each command level, including supervisory levels, for relieving officers from duty. Such relief may be a temporary administrative action due to an employee's physical or psychological fitness for duty or the results of an internal affairs investigation.

STANDARD 26

Documentation must be provided to establish that a written directive specifies the role of supervisory and command staff in the disciplinary process and the authority of each level thereof relative to disciplinary actions, in accordance with existing labor contracts, if any.

STANDARD 27

Documentation must be provided to establish that a written directive outlines a grievance procedure.

COMMENTARY

Good management practice recognizes that a carefully designed grievance process can help to reduce personnel dissatisfaction, increase morale, identify problems in the organization and increase the positive perception employees have of the organization. Job stability is an integral part of the job environment.

STANDARD 28

Reserved for future use.

E. Performance & Evaluation

STANDARD 29

Written documentation in addition to a written policy shall establish that the Office of Sheriff has adopted a standard performance evaluation system for Deputy Sheriffs and civilian personnel.

COMMENTARY

Evaluation and selection of law enforcement personnel for promotion and advancement should be an integral part of the personnel development process, beginning with identification of personnel who appear to have the potential for intensive development, continuing with assessment of their progress, and culminating with their final evaluation for advancement or promotion.

Evaluation of personnel should be accomplished on a regular basis and should be related to the skills, ability and knowledge required for a specific position. An employee's ability should be measured by his grasp of these requirements and his performance of the tasks required in the advanced position. His progress should be documented.

Every Sheriff's Office should periodically evaluate the potential of every employee to perform at the next higher level of responsibility. This evaluation should be part of the regular performance evaluation that should be completed at least annually. Specific data concerning every employee's job performance, training, education and experience should support the periodic evaluation for promotion and advancement.

In the accreditation process, an assessment team shall verify the use of performance appraisal as a tool in personnel promotion and advancement.

STANDARD 30

Documentation in addition to a written policy must be provided to establish that civil personnel successfully complete a period of probation lasting at least one year from the date of appointment or otherwise as provided by collective bargaining agreements. Written documentation demonstrates that personnel are evaluated at least twice during this period subject to the limitations of a collective bargaining agreement.

COMMENTARY

It is the intent of this standard that the agency to evaluate the officer periodically throughout the probationary period to adequately assess the individual's development and progress.

STANDARD 31

Documentation must be provided to establish that the Office of the Sheriff maintains a written procedure governing the process used for promotion.

COMMENTARY

Documentation should be provided that the agency provides a written announcement of the promotional process which includes, at a minimum:

- A) Description of the positions or job classifications for which vacancies exist
- B) Schedule of dates, times and locations of all elements of the process
- C) Description of eligibility requirements
- D) Description of the process to be used in selecting personnel for the vacancies

Documentation should also be provided to establish that procedures used for promotions are job related and non-discriminatory.

STANDARD 32

Documentation must be provided that a written directive establishes criteria and procedures for the development of promotional eligibility lists, if any, to include at a minimum:

- A) Numerical weight, if any, assigned to each eligibility requirement
- B) System of ranking eligible employees on the lists
- C) Duration of the lists
- D) Written certification of eligible employees
- E) System for selecting names from the lists
- F) Attendance
- G) Past work performance

COMMENTARY

This standard is primarily for non-competitive civil service positions. It is not designed to tell an agency how it is to promote, so long as procedures are followed that comply with the standard guidelines. The standard may be complied with by following civil service guidelines that meet the standard requirements.

II. UNIFORM STANDARDS OF PROCEDURE

STANDARD 33

Each Office of the Sheriff will maintain a comprehensive Manual of Standard Operating Procedures for the Civil Division. This manual shall contain, in addition to any topics which may be required by the Sheriff or person in charge of the Civil Division, a specific and detailed operating procedure governing all aspects of the following:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Processing of rejections
- B) Acceptance of Process
 - 1) Time stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Execution and service of process:
 - 1) Income executions, CPLR 5231 & 5241
 - 2) Property executions, CPLR 5201, 5232(a) & (b), 5236
 - 3) Sales
 - 4) Arrests, Judiciary Law & Family Court Act;
 - 5) Attachments
 - 6) Orders of Seizure
 - 7) Evictions, RPL & RPAPL
 - 8) Family Court process
 - 9) Non-enforcement civil process
 - 10) Miscellaneous enforcement process & process affecting existing files
- D) Fiscal Management
 - 1) Receipt for funds
 - 2) Field collections
 - 3) Check cashing
 - 4) Change making
 - 5) Refunds
 - 6) Money transmittal
 - 7) Separation of Civil monies
 - 8) Bank Deposits
 - 9) Copy of deposit slip
 - 10) Night deposits
 - 11) Charge backs

B) Returns

- 1) Official and supplied forms; routing; dissemination

C) Computer use and security

- 1) Data entry; forms; authorization for use; maintenance; security, both physical & access; data retrieval; back-ups & data loss control.

COMMENTARY

A standard operating procedure and policy manual will cover all major civil law enforcement activities consistent with a particular agency's mission and resources. The NYSSA working through its Civil Practice Committee will provide technical and staff assistance to any requesting agency in addressing any issue related to standard operating procedure and policy development either on a specific case basis or on a more general basis. The Committee will work with the requesting agency's staff personnel in conducting a review and assessment of current policy and procedures and in developing new policy procedures for manual inclusion. The final approval and acceptance of any policy shall rest with the Sheriff of the requesting Office of Sheriff.

The SOP Manual may include part or all of the training manuals provided by the NYSSA and the Comptroller's Manual for County Sheriffs.

While these manuals can provide a solid foundation for the development of policies and procedures, they are not intended to act as actual operational rules for any agency. Generally, but with some exceptions, the contents of these manuals can be worked into the agency's specific procedures to best serve each agency's requirements.

A comprehensive SOP Manual serves several important purposes. It allows each employee to not only be aware of what is required of him or her, it can be referenced for unusual or uncommon situations. New hires use it as a training manual. It is instrumental in performance evaluations and disciplinary actions. It can be subpoenaed in a court action for a variety of reasons, including the exoneration of an agency for actions taken. This manual should be updated regularly.

STANDARD 34

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding the carrying and use of a firearm by members of the Civil Division.

COMMENTARY

The Office of the Sheriff will have a policy that governs the use of firearms by employees and ensures their adherence to such policy. The directive shall conform with Article 35 of the NYS Penal Law and will refer to the use of deadly physical force and the procedures used upon discharge of any firearm.

STANDARD 35

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding procedures for **Service of Process** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The Office of the Sheriff will establish a policy and procedure for Service of Process, ensuring that members comply with the CPLR §309, The Family Court Act, any other applicable statutes, and departmental policy. The directive and documentation will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees, if applicable
 - c) Processing of rejections
- B) Acceptance of Process
 - 1) Time Stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Service
 - 1) Name & Description/Relationship of person served, to include:
 - a) Persons under eighteen years of age
 - b) Persons actually or apparently incompetent
 - c) Residents of psychiatric or skilled nursing facilities
 - d) Inmates or prisoners
 - e) Native Americans on state/federal reservations, where applicable
 - 2) Date & Time of Service
 - 3) Method of Service
 - 4) Record of Attempts
 - 5) Reason for non-service, if applicable
 - 6) Address of Server
 - 7) Date of Return
 - 8) Signature of Deputy
- D) Returns
 - 1) File copy

STANDARD 36

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding procedures for **Civil Arrests** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The Office of the Sheriff will establish a policy and procedure for making arrests, ensuring that members comply with the CPLR, NYS Criminal Procedure Law, as well as departmental policy. The directive will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Processing of rejections
 - 3) Authority to arrest
 - a) Directed to the Sheriff of that County
- B) Acceptance of Process
 - 1) Time Stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Service
 - 1) Description of Arrested persons, and the particulars of any arrest
 - 2) Date & Time of service
 - 3) Record of attempts
 - 4) Reason for non-service, if applicable
 - 5) Address of server
 - 6) Date of return
 - 7) Signature of Deputy
- D) Procedures for Arrests
 - 1) Fingerprinting & Photographing
 - 2) Transportation
 - 3) Release or Commitment of defendant
- E) Returns
 - 1) File copy
 - 2) Return of Service for Arrest

STANDARD 37

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding procedures for **Income Executions** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The Office of the Sheriff will establish a policy and procedure for processing and enforcing Income Executions, ensuring that members comply with the appropriate sections of the CPLR as well as departmental policy. The procedures will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Processing of rejections
- B) Acceptance of Process
 - 1) Time Stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Procedure for service
 - 1) First stage
 - 2) Second stage
- D) Monitoring
 - 1) Time Limitations
 - 2) Delinquent Payor Report
 - 3) Status Letters to attorney/plaintiff
- E) Collections
 - 1) Subsidiary ledgers
- F) Disbursements
- G) Status Inquiries
- H) Priorities among executions
- I) Returns
 - 1) File copy
 - a) Wholly satisfied
 - b) Partially satisfied
 - c) Wholly unsatisfied

STANDARD 38

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding procedures for **Property Executions** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The Office of the Sheriff will establish a policy and procedure for property executions; ensuring that members comply with the CPLR, NYS Criminal Procedure Law, as well as departmental policy. The directive will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Processing of rejections
 - 3) Property sufficiently identified
 - 4) Proof of ownership
- B) Acceptance of process
 - 1) Time stamp
 - 2) Docketing/recordkeeping/Civil software
- C) Service
 - 1) Name & description/relationship of person served
 - 2) Date & time of service
 - 3) Method of service
 - 4) Record of attempts
 - 5) Reason for non-service, if applicable
 - 6) Address of server
 - 7) Date of return
 - 8) Signature of Deputy
- D) Levy of property
 - 1) Date, time, location
 - a) Inventory
- E) Sheriff's sale
 - 1) Date, time, location
 - 2) Notice & terms of sale
 - 3) List of bidders present (name, address)
 - 4) Record of bids
 - 5) Certificate of sale
 - 6) Distribution of proceeds
- F) Returns
 - 1) File copy
 - a) Wholly satisfied
 - b) Partially satisfied
 - c) Wholly unsatisfied

STANDARD 39

The Office of the Sheriff will have a written policy, supported by appropriate documentation regarding procedures for **Orders of Attachment** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The Office of the Sheriff will establish a policy and procedure for serving and enforcing orders of attachment; ensuring that members comply with the CPLR as well as departmental policy. The directive will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Processing of rejections
- B) Acceptance of Process
 - 1) Time stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Service
 - 1) Name & Description/Relationship of person served
 - 2) Date & Time of service
 - 3) Method of service
 - 4) Record of attempts
 - 5) Reason for non-service if applicable
 - 6) Address of server
 - 7) Date of return
 - 8) Signature of Deputy
- D) Execution of Process
 - 1) Method of Levy
 - a) Garnishee statement
 - b) Sheriff's inventory
 - c) Confirmation order
- E) Disposition
- F) Returns
 - 1) File copy
 - 2) Return of service for Order of Attachment

STANDARD 40

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding procedures for **Orders of Seizure** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The Office of the Sheriff will establish a policy and procedure for seizing personal property; ensuring that members comply with the CPLR as well as departmental policy. The directive will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Processing of rejections
- B) Acceptance of Process
 - 1) Time stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Execution of Process
- D) Method of Seizure
- E) Confirmation Order
- F) Service
 - 1) Name & Description/Relationship of person served
 - 2) Date & Time of service
 - 3) Method of service
 - 4) Record of attempts
 - 5) Reason for non-service, if applicable
 - 6) Address of server
 - 7) Date of return
 - 8) Signature of Deputy
- G) Inventory
 - 1) Storage (if applicable)
- H) Disposition
- I) Returns
 - 1) File copy
 - 2) Return of service for Order of Seizure

STANDARD 41

The Office of the Sheriff will have a written policy supported by appropriate documentation regarding procedures for **Warrants of Eviction** by all members of the Civil Division. Documentation must establish that such procedures are properly applied.

COMMENTARY

The directive will cover areas including, but not limited to:

- A) Review of process prior to acceptance
 - 1) By whom
 - 2) Determining factors for acceptance/rejection
 - a) Forms and required documentation
 - b) Fees
 - c) Required language in eviction warrant:
 - i) Directed to the Sheriff of that County
 - ii) Named tenants
 - iii) Address to remove
 - iv) Earliest executable date
 - v) Original signature of Judge
 - d) Processing of rejections
- B) Acceptance of Process
 - 1) Time Stamp
 - 2) Docketing/Recordkeeping/Civil software
- C) Service of Sheriff's Notice per RPAPL §749 2(a) (14 Day, 30 Day, 90 Day)
 - 1) Method of Service
 - a) Personal
 - b) Sub Service
 - c) Affixed to door
 - d) Certified mailing, if required
 - 2) Name & Description/Relationship of person served
 - 3) Date & Time of service
 - 4) Record of attempts
 - 5) Reason for non-service, if applicable
 - 6) Address of server
 - 7) Date of return
 - 8) Signature of Deputy
- D) Enforcement Policy
 - 1) Time of day, number of deputies assigned, method of enforcement
- E) Returns
 - 1) File copy
 - a) Possession/not in possession letter sent to the court
 - b) Eviction return to the court

STANDARD 42

The Office of the Sheriff will have a written policy, supported by appropriate documentation regarding court appearances and conduct by all members of the agency, and that policy must be disseminated to all Civil Division personnel.

COMMENTARY

The Office of the Sheriff will have a policy covering the appearance of any employee or member in any court or before a hearing board. The appearance of members/employees of any agency are constantly being observed by the court jurors while in and out of the courtroom. Members/employees' appearance, conduct and attitude should be such as to add to the dignity of the court as well as the credibility of the Office of the Sheriff and its members. The policy shall cover areas such as proper attire, preparedness, and notification of non-appearance.

STANDARD 43

The Office of the Sheriff will have a written policy, supported by appropriate documentation, regarding personal appearance of all members of the agency (uniforms and equipment) in the performance of their duties.

COMMENTARY

The Office of the Sheriff will have a written policy covering the acceptable appearance of all members of the agency and necessary equipment carried by them. This standard is not intended to require the wearing of uniforms but does require the Office to specify what personal appearance guidelines are appropriate. These standards will relate to such areas as:

- A) Uniforms
- B) Handcuffs
- C) Firearms
- D) All non-issued equipment carried by members
- E) Dress-code
- F) Grooming

STANDARD 44

The Office of the Sheriff has a written directive that prescribes the security and control of persons being transported. The directive shall:

- A) Require the search of transport vehicles prior to and after transporting such persons;
- B) Require a search of such person by the transporting officer before being transported;
- C) Govern situations permitting transport of such persons by officers of the opposite sex;
- D) Prescribe procedures for transporting/handling sick or injured persons; and
- E) Identify actions for the transporting officer to take following an escape of a person while being transported.

COMMENTARY

The intent of this standard is to direct members in proper transporting methods to include handcuffs, restraints, seating arrangements and security.

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

- A) A copy of the written directive should be available for review.
- B) Interview(s) with agency personnel who transport prisoners to verify their knowledge of and compliance with the directive.
- C) Review logs or other documentation used by the agency to verify compliance with the directive.
- D) Interview(s) with medical personnel used by the agency in medical situations can be conducted to verify compliance with the directive.
- E) Interview(s) with personnel involved in the transport process to ensure that each level of command is aware of its particular role in an escape situation.
- F) Review agency reports involving prisoner escapes to verify compliance with the written directive.
- G) If the directive involves an interagency agreement, the assessor should contact representatives of the other agencies to verify that it is in place and understood.

STANDARD 45

The Office of Sheriff will have a written policy, supported by appropriate documentation, regarding appearances or production of records pursuant to subpoenas and trial notices for all members of the Office of the Sheriff.

COMMENTARY

The Office of the Sheriff will have a written directive which ensures that all members who are legally required to appear in court or at a hearing, by virtue of a subpoena, trial notice, etc., are properly served and notified. The policy shall refer to a written record of the issue and receipt of subpoenas and trial notices. The directive will require the retention of the record for a specific period of time.

STANDARD 46

The Office of the Sheriff will have a written policy, supported by appropriate documentation, defining the parameters for the use of physical force.

COMMENTARY

The Office of the Sheriff will have a written policy covering the "use of force" by members. The policy will be consistent with the provisions of the New York State Penal Law and will outline the responsibilities of the members and supervisors.

STANDARD 47

The Office of the Sheriff will have a written policy, supported by appropriate documentation, regarding the use of handcuffs and non-lethal weapons by all members of the Civil Division.

COMMENTARY

The Office of the Sheriff will have a written policy governing the proper use of handcuffs, while ensuring uniformity and maximum security. The policy shall also cover the proper use and maintenance of any non-lethal weapons authorized by the agency.

STANDARD 48

The Office of the Sheriff shall have a written policy and procedure addressing media relations to be used by the Civil Division and by other divisions in civil matters. Such a directive shall describe the procedures used in planned and unplanned events; during & after normal Civil Division operating hours; and when representatives of the media arrive at or are investigating specific Civil Division activities such as sales, seizures or evictions. Documentation must establish that such policies and procedures are properly applied.

COMMENTARY

The policy and procedure covers the authority for a member to release written or verbal information and the circumstances under which such dissemination is authorized.

STANDARD 49

The Office of the Sheriff will have a written policy, supported by appropriate documentation, regarding the procedures for the issuing of orders and bulletins to all members of the Sheriff's Office.

COMMENTARY

The Office of the Sheriff will have a written policy which establishes a format and definitions for written orders and bulletins. The policy will provide for proper preparation, indexing and distribution so that all personnel concerned are kept informed of new and revised policies and procedures.

STANDARD 50

A written directive shall require the preparation of and specify the contents of a daily reporting system, by each Civil Division employee or person who performs civil duties, and it shall specify the review procedures. Such daily reports shall include, in addition to any information required by the person in charge of the Civil Division, the following:

- A) Times reporting on & off duty
- B) Activities performed
- C) Service and levy locations and times
- D) Special or unusual events
- E) Signature of the employee and of the review officer

Documentation must establish that such procedures are properly applied. Documentation may include copies of, or review of computer software programs and data used in the Sheriff's Civil Division.

COMMENTARY

An activity reporting system will improve the quality and productive worth of reporting done by Sheriff administrators throughout the State and is hereby formally adopted by this Association.

The value of documenting all requests for services cannot be overemphasized. Civil work is important public business and like any other business should be represented by adequate records of action taken. It is important for the Sheriff to insist that a permanent written record be made of each activity and that this record be initiated at the time the process is received. A record-keeping process of this nature will provide proper administrative control.

There is a direct relationship between the efficiency of the office of the Sheriff and the quality of its records and records procedure. Complete information is essential for effective operations. Reports of civil activity and other matters of concern to the Sheriff must be classified, indexed, and filed so that the information is readily available to the officers working in the field. Analysis of these reports is beneficial to commanding officers.

Since most offices now have computer software to maintain Civil Division records, it is not required for accreditation purposes to maintain paper copies of records also. Assessors may and likely will ask to review the computer software program used by the Civil Division and to print sample reports from the software as needed.

STANDARD 51

The Office of the Sheriff will have a written policy, supported by appropriate documentation, establishing a procedure for the use, dissemination, retention and security of civil records.

COMMENTARY

The Office of the Sheriff will have a written policy establishing a procedure for the use and dissemination of civil records. The policy will conform to the Freedom of Information Law, Education Law and all other applicable laws and rules and will provide security and safeguards to protect the confidentiality of the records.

STANDARD 52

The Office of Sheriff will have a written policy, supported by appropriate documentation regarding emergency driving procedures used by the members of the Civil Division.

COMMENTARY

The Office of the Sheriff will have a written policy containing established guidelines for the operation of police vehicles under emergency conditions. The policy shall include procedures for the pursuit of violators, response to emergencies, and liability. Other areas such as notifications, roadblocks, etc. may also be addressed.

STANDARD 53

Documentation must be provided to establish that the Office of the Sheriff adheres to an established system for the development and promulgation of written directives, including division policies, procedures, rules and regulations, and which:

- A) Provides procedures for the formatting, indexing, purging, updating and dissemination of written directives
- B) Vests in the sheriff the authority to issue, modify, or approve written directives
- C) Identifies by name or position any individual, other than the sheriff, authorized to issue written directives
- D) Provides procedures for staff review of proposed written directives prior to their implementation
- E) Requires signed and dated acknowledgment of receipt of the directives by all affected components and personnel, and subsequent placement of the directive into a manual for future reference or perusal

COMMENTARY

An agency should establish a written directive system to ensure that employees receive and understand the individual policies and procedures and rules and regulations relating to the performance of their official duties.

III. ORGANIZATION OF THE CIVIL DIVISION

STANDARD 54

Documentation, in addition to a written policy, must be provided to establish that the Office of the Sheriff has an official organizational chart that is routinely updated and distributed to all members. The chart must reflect the chain of command and lines of authority for communication within the agency and must be hierarchically organized.

COMMENTARY

It is imperative that a vehicle be designed to ensure the continuity of command and organizational behavior for the Office of the Sheriff.

To enhance coordination, all personnel should understand the authority and responsibilities of every organizational component within the Office of the Sheriff.

The Office of the Sheriff should establish a formal structure through which organizational components are arranged, defined, directed and coordinated.

The Office of the Sheriff should establish a policy of employees' accountability. A major priority of a law enforcement agency should be assurance that each employee is made fully accountable for the use of delegated authority, as well as for the failure to use it.

STANDARD 55

A written directive must describe the duties and responsibilities of each job classification within the Civil Division. Such descriptions will include all duties actually performed in addition to any specified in a job announcement or list prepared by any local or state agency. Such descriptions shall include any applicable chain of command requirements. Documentation must establish that personnel perform the duties stated within the classification and, where applicable, the defined replacement personnel in instances of planned and unplanned absences.

COMMENTARY

Documentation must be provided to establish that a written directive requires that responsibility be accompanied by commensurate authority.

STANDARD 56

Documentation, in addition to a written policy, must be provided to establish that the Office of the Sheriff has a staffing table that provides the following information:

- A) Total personnel strength as authorized by the county and Sheriff
- B) Number of personnel, by rank or job title, within each organizational component, including civilians

STANDARD 57

Documentation, in addition to a written policy, must be provided to establish that for purposes of the distribution of field personnel, the Civil Division maintains and periodically updates its service area organized into identified service area(s).

COMMENTARY

The periodic update of service areas encourages the Civil Division to distribute personnel according to calls for service as well as geography.

STANDARD 58

A written directive shall require that each employee is accountable for the use of delegated authority, shall specify the circumstances under which such authority is implemented, and shall define the parameters of accountability. Documentation must establish that such procedures are properly applied.

COMMENTARY

Each officer is responsible for his or her acts and omissions while on duty. A law enforcement officer is given an enormous amount of delegated authority through state and local laws. Each officer must be accountable and responsible for this authority.

STANDARD 59

A written directive shall require supervisory personnel to be accountable for the performance of the employees under their command. Such a directive shall specify how supervisors are to determine employee performance, what is done with any reports or evaluations and procedures to protect supervisors from unauthorized acts or omissions by subordinates. Documentation must establish that such procedures are properly applied.

COMMENTARY

This directive and procedure ensures conscientious supervision and addresses liability. This directive is closely linked to any evaluation process.

STANDARD 60

Documentation must be provided to establish, and a written directive shall require that employees obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.

STANDARD 61

Documentation must be provided to establish, and a written directive shall specify procedures to be followed by an employee who receives a conflicting order or directive.

IV. RECOGNITION OF EMPLOYEE PERFORMANCE

STANDARD 62

The Office of the Sheriff shall adopt an official awards program which includes the civil office and a written directive will describe this program, including the specific methods for eligibility, nomination & selection (if applicable), and the presentation of all awards. It shall also describe all such awards. Documentation must establish that such programs and procedures are properly applied.

COMMENTARY

A uniform statewide awards program establishes methods and criteria for rewarding employees.

This program enhances consistency in the rewarding of employees.

The awards program includes methods of reward, letters of recognition, awards for merit and valor.

STANDARD 63

Documentation, in addition to a written policy, must be provided to establish that the agency has a written mission statement defining its role and which is disseminated to all personnel.

STANDARD 64

Documentation, in addition to a written policy, must be provided to establish that the agency's goals and objectives are developed and that they are periodically reviewed, updated and disseminated to all personnel.

COMMENTARY

By establishing and routinely updating goals and objectives, an agency has a basis for measuring progress, as well as for ensuring direction and unity of purpose.

STANDARD 65

Documentation in addition to a written policy must establish that the Office of the Sheriff periodically, but at least annually, prepares and provides its members with a written evaluation of the degree to which the division has attained its goals and objectives.

COMMENTARY

Some goals and objectives may not change annually, while others may change more often. The wording encourages administrators to evaluate goals and objectives as often as may be appropriate.

V.FISCAL MANAGEMENT

STANDARD 66

Documentation, in addition to a written policy, must be provided to establish that the Sheriff has the authority and responsibility for the fiscal management of the Office of the Sheriff. If the sheriff does not personally perform the fiscal management function, a written directive designates the position or component having the responsibility for fiscal management.

STANDARD 67

Documentation in addition to a written policy must establish that there is an accounting system which includes the preparation of at least monthly status reports showing:

- A) Initial appropriation for each account or program
- B) Balances at the commencement of each period
- C) Expenditures and encumbrances made during the period
- D) Unencumbered balances

STANDARD 68

A written directive shall specify the procedures for the collecting, safeguarding and disbursing of all funds, especially cash, and such directive shall include the specific procedures for, at a minimum:

- A) Operations of any allotment system or, alternatively, records of appropriations among the various agency components
- B) Preparation and purpose of specified financial statements
- C) Internal monitoring
- D) Identification of person or persons authorized to receive and disburse funds

Documentation must establish that such procedures are properly applied.

COMMENTARY

This standard addresses the fiscal activities of the agency as a whole and the relationship between the various divisions/components of the agency to the departmental fiscal operations.

Procedures developed to implement this standard will ensure that cash is properly handled within the agency. The system may be simple or complex. Examples of receipt and disbursement include bail transactions, petty cash, and other cash brought into the office.

STANDARD 69

A written directive must detail the procedures used for the internal monitoring of the fiscal activities of the Civil Division office, to include:

- A) Person or persons who perform any reviews and reconcilements and the procedures used in their absence
- B) Types of reviews and reconcilements performed, the forms & formats used, and the details for the preparation, use and completion of any reviews and reconciliations
- C) Required time periods within which such reviews and reconcilements must be performed
- D) Procedures used when discrepancies are discovered

Documentation must establish that such procedures are properly applied.

COMMENTARY

The Sheriff or his designee should have a procedure in place for monitoring the fiscal activities of the office. There may be different types of systems, but there must be safeguards in place to ensure that appropriate checks and balances are included in the internal monitoring.

STANDARD 70

Documentation must establish a written directive that shall govern procedures for safeguarding inventory and control of county property, equipment and other assets in the custody of the Office of the Sheriff.

STANDARD 71

Documentation must establish a written directive that shall designate the person(s) responsible for the management and accountability of county owned property. Accountability for county owned property is a responsibility of the property manager so designated.

COMMENTARY

Documentation must establish that a designated person(s) be responsible for the distribution and issuance of county owned property to authorized users.

STANDARD 72

Documentation must establish a written directive that shall govern the procurement or requisition of county owned property.

COMMENTARY

The intent of this standard is to establish formal control over the requisitioning of supplies and property. Large agencies would find it difficult to have this function centralized. The intent of the standard may be met if a division has formal control of the process.

STANDARD 73

A written directive must describe the Office of the Sheriff property system which includes the specifics for the proper recording, storage, classification, retrieval and disposition of all property, and the procedures used in instances of loss, theft or damage to, any property in custody or control of the Office of the Sheriff, whether in actual physical custody or otherwise. Documentation must establish that such procedures are properly applied.

COMMENTARY

An adequate property management system is necessary to protect the chain of custody and to maintain the agency's credibility with the judiciary and the public.

VI. RECORDS MANAGEMENT

STANDARD 74

A written directive shall provide that a designated person(s) is responsible and accountable for the care, condition and storage of all property held by the Office of Sheriff pursuant to any civil process. Such directive shall describe the procedures used for the proper indexing and control of such property. The directive shall define the extent and conditions of such responsibility and accountability of the designated person(s). Documentation must establish that such procedures are properly applied.

STANDARD 75

A written directive shall provide that: whenever a new property custodian is designated, an inventory on approved specified forms, is conducted to ensure that all records are correct and properly annotated and verifying the status and condition of all property; and that all inventories and reconcilements are maintained in a prescribed location. Documentation must establish that such procedures are properly applied.

COMMENTARY

The intent of this standard is not to require the accounting of every single item of property, but rather to ensure the continuity of custody. The standard can be met as long as the inventory is sufficient to ensure the integrity of the system and the accountability of the property.

STANDARD 76

A written directive must specify the procedures, forms, format and physical locations used to control and safeguard all money, firearms and items of value that may require special security or storage arrangements by the Civil Division by virtue of any civil process. Documentation must establish that such procedures are properly applied.

STANDARD 77

Documentation, in addition to a written policy, must be provided to establish that the Civil Division has a records management system, and that such procedures are properly applied. Such system includes but is not limited to:

- A) Procedures governing the creation of records (types of records, forms and formats, personnel authorized/required to create records and when)
- B) Specific contents of records for all civil process received by subject matter to include at a minimum:
 - 1) Pre-assigned control number
 - 2) All civil process received by subject matter
 - 3) Parties to the action
 - 4) Time stamp
 - 5) Service information: when, how, by whom, location
 - 6) Returns
 - 7) Affidavits/Certificates of service
 - 8) Correspondence
 - 9) Financial activity
- C) Procedure for review for completeness and accuracy
- D) Controls for indexing, routing & follow up
- E) Record maintenance to include filing system particulars and security
- F) Records retrieval
- G) Procedures for responding to routine requests and those made pursuant to the Freedom of Information Laws
- H) Procedure for complying with the Department of Education records retention schedules and requirements
- I) Master name index of judgment debtors and defendants.

STANDARD 78

Documentation, in addition to a written policy, must be provided to establish that the division maintains an arrest history record on each person arrested by the division.

VII. USE OF FORCE

STANDARD 79

Documentation must be provided to establish, and a written directive shall require that personnel will use only the force necessary to effect lawful objectives.

STANDARD 80

Documentation and a written policy must be provided regarding the use of force that is consistent with Article 35 of the Penal Law.

COMMENTARY

An agency may have a policy that is more restrictive than Article 35 but not less restrictive.

STANDARD 81

Documentation, in addition to a written policy, must be provided to establish that all sworn personnel are issued copies of and are instructed in the division's policies concerning the use of force.

COMMENTARY

Compliance with the standard must include a policy for the use of deadly and non-deadly physical force.

STANDARD 82

There shall be a written policy, supported by appropriate documentation, regarding the discharge of warning shots and that copies of the policy are disseminated to all sworn personnel.

STANDARD 83

There shall be a written policy, supported by appropriate documentation, regarding the use and carrying of firearms and ammunition both on and off duty and that copies of the policy are disseminated to all personnel.

STANDARD 84

There shall be a written policy, supported by appropriate documentation, regarding the use of non-lethal weapons by division personnel and that copies of the policy are disseminated to all personnel.

COMMENTARY

This standard will ensure the proper use of non-lethal weapons such as chemical agents, impact weapons, batons, or tear gas. The agency should also identify any prohibitions against the carrying of such weapons.

STANDARD 85

Documentation, in addition to a written policy, must be provided to establish that an internal process exists to document, review and dispose of any incident wherein an officer discharges a firearm other than in training or for lawful recreational purposes.

COMMENTARY

The agency should have a firearms incident review policy to ensure that firearms are used correctly, and to evaluate the need for further training, and to evaluate the adequacy of the firearms and ammunition for the incident. The process should evaluate the circumstances and results of the incident and include a review of on and off-duty incidents, accidental discharges and the destruction of animals regardless of whether the incident occurred in or outside of the geographical area of employment.

STANDARD 86

Documentation must be provided to establish that a written report detailing the circumstances of the incident is submitted whenever an officer:

- A) Takes an action that results in or is alleged to have resulted in injury or death of another person and/or
- B) Applies force through the use of non-lethal weapons

COMMENTARY

This standard is designed to protect the officer and the agency against potential lawsuits. The report should address the use of deadly and physical force and the use of lethal and non-lethal weapons.

VIII. INTERNAL AFFAIRS

STANDARD 87

Documentation, in addition to a written policy, must be provided to establish that a written directive specifies the activities of the internal affairs function, to include:

- A) Recording, registering and controlling the investigation of complaints against personnel
- B) Supervision and controlling the investigation of alleged or suspected misconduct within the division
- C) Maintaining confidentiality of the internal affairs investigation and records

COMMENTARY

Every agency should have a policy to investigate and promptly adjudicate all allegations of employee misconduct. In order to ensure the integrity of the agency and its members, all reports or accusations made against members of the agency should be completely investigated.

STANDARD 88

There shall be a written policy, supported by appropriate documentation, which defines the type of complaints to be investigated by the line supervisors, and which are to be reviewed and maintained by the division's internal affairs function.

COMMENTARY

Examples of serious categories of complaint include, but are not limited to: corruption, brutality, death or serious injury, criminal misconduct and breach of civil rights. An agency must provide for the review of these types of investigations by a higher authority.

Other categories of less serious complaints that might be investigated by an immediate supervisor include, but are not limited to: officer tardiness, officer rudeness and insubordination.

STANDARD 89

Documentation, in addition to a written policy, must be provided to establish that a position or individual is responsible for the internal affairs function with the authority to report directly to the Sheriff.

COMMENTARY

The internal affairs function is vital to the integrity of the agency. Fundamental fairness to all participants must be guaranteed through impartial investigations and review. The Chief Executive Officer has the primary responsibility for this function.

STANDARD 90

Documentation, in addition to a written policy, must be provided to establish that the written directives relating to the administration of the internal affairs function are disseminated to all personnel.

COMMENTARY

It is essential that all members be cognizant of the department's internal affairs policies and procedures and that all steps in the process are explained and understood. These directives should include the authority of the internal affairs officer, the interview process, procedures to be followed, and officer rights.

STANDARD 91

Documentation, in addition to a written policy, must be provided to establish that the Internal Affairs function investigates and maintains a record of all complaints against the division or its employees.

COMMENTARY

In order to maintain integrity with the department and the high morale of its officers, all complaints must be investigated whenever they contain sufficient factual information to warrant such investigation. Each complaint--whether in person, by telephone, letter or given anonymously--should be investigated to a logical conclusion. Some complaints may be resolved by giving an explanation to the complainant regarding the department's regulations. Whether or not a full investigation is warranted, an adequate record must be maintained.

STANDARD 92

A written directive must provide that the Internal Affairs function notifies the complainant as well as any affected employees concerning the disposition of complaints against any such employee(s) or the division or agency. Documentation must establish that such procedure is properly applied.

COMMENTARY

There is no legal reason why this standard could not be included in the program. It should be stressed, however, that participating divisions are only required to release the disposition of complaints. There is no requirement to release the penalty, if any, or other details.

STANDARD 93

Documentation, in addition to a written policy, must be provided to establish that records pertaining to internal affairs investigations are securely maintained by those responsible for the internal affairs function.

COMMENTARY

Due to the sensitivity of these records, they must be maintained under lock and key and only be accessible to designated personnel.

STANDARD 94

Documentation, in addition to a written policy, must be provided to establish that the Internal Affairs function maintains liaison with the prosecutor's office and county attorney where appropriate in investigations involving alleged criminal conduct on the part of the employee.

COMMENTARY

Participation by the prosecutor's office maintains public confidence in the internal affairs function. Compliance with this standard may be shown by written policy and/or documentation of routine notifications to the prosecutor's office for legal advice involving criminal activity.

IX. PUBLIC RELATIONS

STANDARD 95

Documentation must be provided to specify the position(s) in the division responsible for the public information function and that a directive identifies by name or position those individuals within the division who may release information to the news media:

- A) At the scene of an incident
- B) From agency files
- C) At any time the public information officer is not available

STANDARD 96

A written directive must specify the person(s), by title, who are authorized to perform community relations functions with respect to the operations of the Civil Division. Documentation must establish that such a directive is properly applied.

COMMENTARY

Law enforcement agencies are often called upon, usually through speaking engagements, to advise, assist and inform the public about various topics. In order to coordinate the department's efforts, it is essential to designate a person or component to be responsible for such assistance to the public. However, the person so designated may delegate to different units, according to specialty, assignments to meet the public requests.

All personnel in the agency, both sworn officers and civilians, should project a positive image and become involved in community needs. The conduct of each employee reflects on the agency as a whole, and the burden of achieving the agency's community relations objectives should be shared. Every employee must be aware of the different programs that the agency has so that they can inform the community.

Community relations are not the same as media relations. A community relations benefit is realized by the Office of the Sheriff when local social and professional organizations request a Civil Division representative to address their group. These organizations and the general public can better appreciate the work performed by the Civil Division which aids in better communication and understanding for everyone. Some examples could include an address to a local landlord's group about eviction procedures. The collection of money judgments is an ideal topic for business organizations. Meetings with your local Magistrates and Court Clerks associations serve to improve communication and appreciation for each other's duties.

X. OFFICE OPERATIONS

STANDARD 97

A written policy shall establish a listing of employee positions within the Civil Division and a detailed explanation of their specific duties. This list shall substantially conform to the following:

- A) Member in Charge: The member in charge of civil unit shall be responsible for the overall operation of the civil unit, which shall include preparation and adjustment of work schedules and attendance control as specified by department policy; preparation and review of reports; review of policies and procedures including recommendations for changes as needed; the duties imposed upon him/her by these rules and procedures; and such other duties as may be assigned by the Sheriff.
- B) Deputy Sheriff: Deputy Sheriffs assigned to the civil unit shall be responsible for serving and enforcing civil process, which shall include making levies and seizures of property; conducting public auctions; making arrests; filing of returns, affidavits and certificates related to civil process; maintenance of related records and reports; and such other duties as may be required or assigned by the member in charge of the civil unit or other competent authority.
- C) Clerk/Typist: One staff member shall be assigned the duties of clerk/typist. This person shall prepare docket records, certificates, affidavits and returns; maintain files; answer authorized inquiries; and shall perform such other duties as may be assigned by the member in charge of the civil office or other competent authority.
- D) Bookkeeper/Account Clerk: One staff member shall be assigned the duties of bookkeeper or account clerk. This person shall be responsible for posting the receipts journal, subsidiary ledger accounts, the disbursements journal; shall prepare checks, the bank reconciliation, the monthly financial reports; and shall perform such other duties as may be assigned by the member in charge
- E) Cashier: One staff member shall be assigned the duties of cashier. This person shall be responsible for issuance of receipts; preparation of bank deposits; preparation of posting media for the bookkeeper; identification of collections; a monthly cash report, and such other duties as may be assigned by the member in charge of the civil unit or other competent authority.

Documentation and/or observation must establish that persons occupying all such positions actually perform the stated duties.

COMMENTARY

This standard requires separation of specific duties. Example: duties of Member in Charge not to be assigned to employees of lesser rank. A clear separation of duties between cashier and the bookkeeper must be maintained. It is important that an employee who issues or prepares receipts or who is accountable for taking in money, shall not make bank deposits or issue checks. That person may prepare bank deposits but should not be involved in the process of going to the bank and getting receipts for deposits.

STANDARD 98

There shall be a written policy establishing the hours of operation of the Civil Division and such policy shall specify the chargeable rates of pay, the rules and procedures to be employed in situations requiring overtime or off-hour action. Such policies and rules shall not conflict with any applicable collective bargaining agreement.

COMMENTARY

The civil unit shall be open for business Monday through Friday, except for legal holidays, from 9:00 a.m. to 5:00 p.m.

The member in charge of the civil unit should prepare a work schedule in accordance with departmental rules, and/or collective bargaining agreements where applicable, which shall be approved by the Sheriff. The schedule shall provide for coverage, exclusive of Sundays, sufficient to serve and execute all mandates and other process delivered to the civil office.

Whenever additional manpower shall be required on a compensation-overtime basis to protect, preserve, transport, or sell property, the cost of such manpower shall be taken out of the proceeds of an applicable sale or collection or charged to the requesting party as appropriate. Such costs collected shall then be transmitted to the county finance officer.

The written policy will include the minimum business hours as required by County Law Sec. 206. Policy also will cover hours necessary to meet demands of process.

STANDARD 99

A written directive shall authorize the creation of and uses for a fee schedule, utilizing Art. 80 of the CPLR, which must include fees for service and enforcement of all types of enforcement and non-enforcement civil process. A schedule must also be maintained which specifies the applications and general or preliminary charges utilized pursuant to CPLR 8012(c), 8013(c) & (d), as well as for poundage. A schedule must also be maintained consisting of the round trip mileage charges for various locations within the county.

Schedules must be kept up to date and conform with any applicable statutes and must be made available upon request to any interested party.

Documentation must establish that such a directive is properly applied.

COMMENTARY

Civil litigation is basically private in nature and the county should generally not be obligated to support private litigation with public funds. Payment of fees, expenses and poundage are statutory and must be collected.

In order to eliminate confusion, avoid unnecessary delays and standardize procedures, each department shall maintain a schedule of fees and expenses that is detailed enough to ensure that litigants know what your requirements for the service of process and the enforcement of mandates are.

No statutory authority exists for the waiver of fees, poundage or expenses. Any employee who waives a fee shall be liable to the Office of the Sheriff for any sum actually lost by virtue of such employee's act or omission.

All fees and expenses shall be paid in advance in accordance with the established department schedule. The exceptions are:

- A) State and political subdivisions shall be billed for service, fees and expenses by submitting an official claim voucher after service is rendered
- B) Fees for receiving or levying pursuant to an execution in a "small claims" judgment issued out of a district or city court shall not be collected in advance but shall be added to the amount to be levied and taken out of any sums collected or the proceeds of a sale by virtue of such execution

Any additional fees or expenses that become due after an action is initiated should be deducted from any sums collected or the proceeds of any sale prior to distribution to the prevailing party. Poundage shall be collected on all proceeds received. In the event there are no proceeds from which to deduct additional fees or expenses, the party who delivered the process or requested the service shall be liable to the Office of the Sheriff for payment.

Any expense that may be expected to be incurred that is not listed in the department schedule shall be estimated by the department and the estimate shall be advanced by the party requesting action prior to execution of the mandate. This may be evidenced in the situation where specific jewelry is to be seized, and an appraisal may be necessary to determine authenticity and value.

Poundage is that sum or portion of monies collected that is due to the Sheriff for service rendered. Poundage is calculated at the rate of 5% within the County of New York City and in all other Counties, 5% of the first \$250,000 collected and 3% upon the residue collected. Poundage shall be collected on settlements as well as on the proceeds of sales and sums collected in connection with execution and attachments in accordance with law and other processes.

Whenever a notice of motion to cancel a notice of attachment is served upon the Office of the Sheriff, the records shall be searched to determine if any fees or expenses remain unpaid and such facts shall be reported through channels to the county attorney.

Prior to the delivery of a chattel to the person entitled to possession pursuant to an order of seizure, all outstanding fees and expenses shall be paid by the person entitled to possession.

Controlling Statutes/Legal Reference are: CPLR 5231, 5334, 6225, 7016, 8011, 8011a, 8011b, 8012 and 8013; County Law 54, 407, and 660; Public Officers Law 70.

STANDARD 100

A written directive shall specify the procedures governing the receipt, inventory, processing, storage, release and security for all personal property coming into the custody or control of the Office of the Sheriff, or processed by the Office of the Sheriff, by virtue of any civil process. This directive shall specify any forms or reports to be used and detail their preparation and use. It shall specify all policies and procedures regarding the use of outside vendors or service providers that are used in any civil enforcement matter. It shall specify the procedures used in the management and disposition of various types of property based upon such things as size, form and value, as well as a policy or procedural differences between types of processes. The directive shall require all such property to be inventoried and such inventory and associated paperwork to become part of the file record. Documentation must establish that such policies and procedures are properly applied.

COMMENTARY

The purpose of an inventory is to reduce the likelihood of claims due to pilferage, carelessness, etc., and to reduce exposure to liability for loss for such claims.

- A) Form of Inventory: An inventory should include the date of inventory, location where inventory was taken and stored, the signature of the employee taking the inventory and, where possible and relevant, the value of property seized, a description of each item including model and serial number. An official form shall be adopted and used for such purposes. Damages or defects shall also be recorded.
- B) Method of Inventory: At least two employees should be assigned to prepare an inventory. One employee will report pertinent facts to a second employee who shall record them. Both employees should sign and date each inventory sheet completed.
- C) Security of Inventory: All property coming into the custody or control of the department should be adequately secured so as to reasonably protect it against theft, spoilage, damage, destruction or loss. In special cases, it may be necessary to post a Deputy Sheriff to guard seized property. In this event, the cost of labor will be charged and will be paid in advance of any seizure.
- D) Theft, Destruction or Other Losses: Theft, destruction or other losses must be reported immediately, directly to the Sheriff, by any employee having knowledge of the theft or loss. A proper investigation shall then be conducted concerning all aspects of the theft or loss.
- E) Hold Harmless Agreements: Levied and seized personal property should not be left in the custody or control of the person from whom it was seized or levied except upon a written direction of the party requesting the seizure or levy. A further hold-harmless agreement should be obtained from the party retaining

control of the property, covering the county, the Sheriff, and his deputies and other employees.

- F) **Perishable Property and Depreciation:** Whenever an employee gains official custody or control of perishable personal property, appropriate steps shall be taken to legally dispose of the property or obtain appropriate instruction of a court. Whenever it shall come to the attention of an employee that such property may or will substantially depreciate before he may reasonably expect to dispose of it, he shall take appropriate steps to advise the court of record and request directions. Advanced payments for expenses should be collected where appropriate.
- G) **Eviction of Commercial or Private Property:** It is recommended that the enforcement officer inventory any and all property that becomes subject to an eviction proceeding. All property in a commercial enterprise should be inventoried as labeled in exact quantities. Special provisions may have to be made in the case of a liquor or drug store.

Likewise in the eviction of a private resident, all belongings should be examined and inventoried. Although it is not necessary to list all items in a container, it may be necessary to identify what is in the container and a brief description of the contents (i.e., one box-personal clothing, one barrel-dishes, etc.). Conditions of all furniture should be noted. Any contraband that may be discovered during the inventory should be reported immediately to the criminal division for action.

The Sheriff may be responsible for damage or loss maliciously committed on the actual scene of the eviction. His responsibilities end when he has successfully completed the eviction and leaves the scene. Once again, special action may be required if valuable items are to be left unattended (coin collection, jewelry, works of art, etc.).

STANDARD 101

Documentation, in addition to a written policy, shall establish that employees shall not engage in the business of private process serving, nor shall they serve any process which has not been officially received and recorded by the department, unless specifically authorized by written regulations.

COMMENTARY

Employees of Sheriffs Offices are often well known in their community. It is often difficult for community members to know precisely when a deputy is "on duty" or "off duty" unless his job assignment requires a uniform. If an allegation of improper or illegal act arises out of an "off duty" service, the first issue which arises is whether the deputy was on or off duty, and whether the Sheriff is responsible for the act or omission. Another issue which sometimes arises is whether the debtor obeyed an instruction of the deputy that he was not legally required to comply with, or because he believed the deputy was on duty and legally empowered to issue such instruction. This type of problem is likely to occur where the deputy seizes cars pursuant to execution by day and repossesses them for private concerns by night. In addition, the deputy would be well advised to confine his services to authorized "on duty" status, since he gains all the benefits of his employment (such as authority) to act, compensation insurance coverage, etc.). This section might also be appropriately added to departmental rules related to outside employment.

STANDARD 102

Documentation, in addition to a written policy, shall establish that civil process and mandates shall not be executed or served beyond the geographic limits of the county, except upon order of a court of competent jurisdiction or in accordance with statute.

COMMENTARY

This rule is designed for two purposes. First, the County Law does not extend the sheriff's duties as an officer of the court beyond the territorial limits of the county. It therefore makes no sense to assume liability beyond that which is required. Secondly, extension of process beyond the territorial limits of the county can alter the delicate balance of priority rules for process such as executions, etc.

STANDARD 103

A written directive will specify the procedures used in addressing inquiries into civil office records. This procedure shall specify what types of records can be accessed and disseminated by telephone, fax or electronic means, and to whom; and which must be in writing. It must specify the circumstances when, where, how and to whom original and copied documents may be released. If certain forms are used in these procedures, or logs are kept, their use, retention and security must be described. Documentation must establish that such a directive is properly applied.

COMMENTARY

The party who has delivered process to the civil office is entitled to know the status of such process and to prompt responses. Defendants, respondents and judgment debtors are entitled to know the status of process which affects them.

Inquiries may extend to process delivered by other parties where such process affects the status of the inquiring party.

Inquiries from persons who do not have process on file with the civil unit relative to such inquiry should not receive a response from the civil office.

Public access to records in the civil unit shall be made by application to the public access officer designated by the county pursuant to the Public Officers Law.

All subpoenas shall be reviewed by the county attorney prior to response. Official records shall be subpoenaed by judicial subpoena which shall be served upon the Sheriff or the Undersheriff only.

STANDARD 104

Documentation, in addition to a written policy, shall establish that the county attorney shall be the legal advisor to the civil unit unless otherwise directed by the Sheriff. In addition, legal opinions may be sought from the New York State Sheriffs' Association upon written approval of the Sheriff. Whenever there is a conflict of legal opinion among the parties regarding a civil matter, the opinion of the county attorney shall be sought and shall prevail unless otherwise directed by the Sheriff.

COMMENTARY

All requests for legal opinions on matters related to process on file in the civil unit shall be forwarded through channels to the Sheriff or his designee. The Sheriff shall review all requests forwarded to him and shall thereafter submit such requests as are appropriate or required by this procedure to the proper advisor.

The county attorney shall be provided with a copy of any process served upon the department which names the county, the Sheriff, the department, an employee or former employee as a defendant, respondent, witness, or any other legal capacity. This includes a notice of claim, summons with or without a complaint, subpoena or any other process. Any process served upon the Sheriff or the department which might require an appearance in court on behalf of the Sheriff or the department as an office of the county, or as authorized by law shall also be copied and such copy delivered to the county attorney. A memorandum should be attached to the process so served which shall detail the name of the server, the party he/she represented, the date and time of service, and both the process and the memorandum shall be forwarded to the Sheriff and his designee through channels. The Sheriff and his designee shall be the proper authority to communicate with the county attorney.

The following instrument should be submitted to the county attorney for his opinion as to form and sufficiency.

- A) All deeds and other instruments that convey title of real property pursuant to judgments, or other authority of law
- B) All civil arrest orders and warrants prior to executions
- C) Any instruments upon direction of the Sheriff

STANDARD 105

Documentation, in addition to a written policy, shall establish that employees shall not advise or recommend an attorney or law firm to anyone in relation to any process being handled by the civil unit, nor shall they offer legal advice.

STANDARD 106

A written procedure shall require that all supplies, whether used, unused, voided or destroyed, of pre-numbered accounting forms, checks, receipts, etc. shall be perpetually inventoried, and shall also provide that they be kept secured at all times. Such procedure shall specify the inventory and security measures and shall require the person in charge of the Civil Division to be responsible for such security. Documentation must establish that such procedures are properly applied.

STANDARD 107

There shall be a written procedure, supported by appropriate documentation, governing all aspects of **money handling – payment acceptance and receipts** by the Civil Division. This written directive shall include specific, detailed management for the following:

- A) Change bank:
 - 1) Contents of bank
 - 2) Location/Security/Authorized users
 - 3) Reconciliation
 - 4) Management of discrepancies
 - 5) Loss and theft
 - 6) Change making (if permitted)
- B) Acceptance of checks:
 - 1) Permitted circumstances
 - 2) Types allowed (attorney, business, bank, personal)
 - 3) Location/Security/Authorized access
 - 4) Procedure when returned by bank
 - 5) Endorsements
- C) Acceptance of ACH & credit card payments:
 - 1) Permitted circumstances
 - 2) Security/Authorized users
 - 3) Process for acceptance/rejection
 - 4) Vendor/service provider agreements
- D) Issuance of receipts:
 - 1) Receipt form (computer generated or paper)
 - 2) Location/Security/Authorized users
 - 3) Voids
 - 4) Reconcilements
- E) Collection of money and property in the field:
 - 1) Receipt form (computer generated or paper)
 - 2) Location/Security of money collected (regular and off-hours)
 - 3) Personnel required
 - 4) Inventory procedures
- F) Check cashing policy (if permitted)
- G) Refunds:
 - 1) Permitted circumstances
 - 2) Authorization
 - 3) Form of refund
- H) Separation of civil monies:
 - 1) Definition of "civil" and "non-civil" monies

- 2) Separation particulars, both physical and through ledgers
- 3) Location/Security/Authorized Access
- 4) Authorization for use of funds
- 5) Reconcilements
- 6) Disbursement details
- 7) Management of discrepancies
- 8) Loss and theft

Documentation must establish that such a directive is properly applied.

COMMENTARY

Strict payment and receipt procedures must be enforced to insure against losses, and to hold all employees accountable for the monies they handle. Generally, check cashing, change making and cash refunds should not be permitted. A strictly controlled payment and receipting procedure will ensure security for all funds received in the civil office and avoid liability problems for the sheriff and the civil office personnel.

The procedures set forth in the various NYSSA manuals as well as the New York State Comptroller's Manual for County Sheriffs are generally acceptable and can be used as a base or guideline when developing your own policies and procedures. Be advised that those procedures and suggestions are guidelines only and each civil office must develop their own policies and procedures that address each topic in detail and specificity in a manner which best suits their individual resources.

STANDARD 108

A detailed and specific written procedure will authorize the creation and use of a receipts journal and the procedure will require, at a minimum:

- A) Date of receipt of any funds
- B) Name of the process
- C) Receipt number
- D) Civil unit docket number
- E) Amount received
- F) Purpose of the receipt and transaction

Documentation must establish that such procedures are properly applied.

STANDARD 109

A written procedure must provide for the preparation and use of official receipts. The procedure must address the format for all receipts which shall include:

- A) All receipts shall be pre-numbered computer generated or press stamped.
- B) Name of the Office of the Sheriff
- C) Date of the transaction
- D) Reason for the transaction
- E) Description of the instrument upon which the transaction is based
- F) Title of the action or name of defendant/debtor
- G) Name of the payor
- H) Amount
- I) Form of payment
- J) Signature of the employee conducting the transaction

Documentation must establish that such procedures are properly applied and that all receipts are in actual use.

STANDARD 110

There shall be a written procedure, supported by appropriate documentation, governing all aspects of **money handling – transfers and deposits** by the Civil Division. This written directive shall include specific, detailed management for the following:

A) Transfers of funds between employees:

- 1) When authorized
- 2) Procedures and forms used
- 3) Reconcilements

B) Bank deposits:

- 1) Creation
- 2) Endorsement
- 3) Transmittal to bank
- 4) Internal and external security
- 5) Reconcilements between employees, between ledgers, and between the civil office and the bank
- 6) Recording
- 7) Storage (safe, lockbox)
- 8) Discrepancies
- 9) Night or other off-hour deposits

Documentation must establish that such a directive is properly applied.

COMMENTARY

Strict transfer and deposit procedures must be enforced to insure against losses, and to hold all employees accountable for the monies they handle. A strictly controlled transfer and deposit procedure will ensure security for all funds transferred and deposited by the civil office and avoid liability problems for the sheriff and the civil office personnel.

The procedures set forth in the various NYSSA manuals as well as the New York State Comptroller's Manual for County Sheriffs are generally acceptable and can be used as a base or guideline when developing your own policies and procedures. Be advised that those procedures and suggestions are guidelines only and each civil office must develop their own policies and procedures that address each topic in detail and specificity in a manner which best suits their individual resources.

A written procedure shall require that all supplies, whether used, unused, voided or destroyed, of pre-numbered accounting forms, checks, receipts, etc. shall be perpetually inventoried, and shall also provide that they be kept secured at all times. Such procedure shall specify the inventory and security measures and shall require the person in charge of the Civil Division to be responsible for such security. Documentation must establish that such procedures are properly applied.

STANDARD 111

A detailed and specific written procedure will authorize the creation and use of a deposit journal and the procedure will require, at a minimum:

- A) Date of deposit of any funds
- B) Deposit number
- C) Receipt number
- D) Reference/check number
- E) Payment source
- F) Amount received

Documentation must establish that such procedures are properly applied.

STANDARD 112

There shall be a written procedure, supported by appropriate documentation, governing all aspects of **money handling – disbursements** by the Civil Division. This written directive shall include specific, detailed management for the following:

A) Making disbursements:

- 1) Authorization
- 2) Reconcilements
- 3) Format and security for check registers
- 4) Security and procedures for use of check-making machines and signature plates/stamps; digital signature security, digital banking access, court ordered disbursement procedures
- 5) ACH payments (if offered):
 - a) Permitted circumstances
 - b) Procedures
 - c) Reconciliation
- 6) Records
- 7) Methods
- 8) Procedures for uncashed checks and those returned as undeliverable
- 9) Payment of vendor invoices from escrow
- 10) County revenue procedures
- 11) Disbursements to Courts

COMMENTARY

Strict disbursement procedures must be enforced to insure against losses, and to hold all employees accountable for the monies they handle. A strictly controlled disbursement procedure will ensure security for all funds disbursed by the civil office and avoid liability problems for the sheriff and the civil office personnel.

The procedures set forth in the various NYSSA manuals as well as the New York State Comptroller's Manual for County Sheriffs are generally acceptable and can be used as a base or guideline when developing your own policies and procedures. Be advised that those procedures and suggestions are guidelines only and each civil office must develop their own policies and procedures that address each topic in detail and specificity in a manner which best suits their individual resources.

STANDARD 113

A detailed and specific written procedure will authorize the creation and use of a disbursements journal, and the procedures shall require the journal to include

- A) Dates of all disbursements
- B) Name of the payee
- C) Check number
- D) Civil unit docket number
- E) Amount of the disbursement
- F) Purpose of the disbursement

Documentation must establish that such procedures are properly applied.

STANDARD 114

A written directive must require the use of a subsidiary ledger and shall describe the procedures for its use, format and reconcilements. Such directive shall require that the ledger be managed independent from other ledgers and that it be maintained for every instrument upon which a collection is made, and such other accounts as shall be approved by the person in charge of the Civil Division, upon recommendation of the bookkeeper, chief fiscal officer, county treasurer or comptroller, or other competent authority. Documentation must establish that such directives and procedures are properly applied.

COMMENTARY

Subsidiary ledgers must provide a complete record of all financial activity within each action. This can be satisfied using the Case Profile report available within Civil Serve or a similar report created to itemize financial activity for each action.

STANDARD 115

A written directive shall require creation of a cashier's daily report. The directive shall specify the form(s) used, its preparation, and shall require that it contains at least:

- A) Accounting of all receipts by source and type (e.g., docket payment, fine, bail, charges, poundage, filing fees, mileage, levy fees, miscellaneous fees, escrows, trust accounts, non-civil monies, etc.)
- B) Deposits
- C) Accounting of the change bank
- D) Date and signature of the cashier

Such a report shall be transmitted to the person in charge of the Civil Division by the cashier by the next business day following the reporting period.

Documentation must establish that such directives and procedures are properly applied.

STANDARD 116

A written directive shall require creation of a cashier's monthly report. The directive shall specify the form(s) used, its preparation, and shall require that it contains at least:

- A) Accounting of all receipts by source and type (e.g., docket payment, fine, bail, charges, poundage, filing fees, mileage, levy fees, miscellaneous fees, escrows, trust accounts, non-civil monies etc.)
- B) Deposits
- C) Date and signature of the cashier

Such a report shall be transmitted to the Sheriff by the cashier by the tenth of the month following the reporting period.

Documentation must establish that such directives and procedures are properly applied.

STANDARD 117

A written directive shall require shall provide that the bookkeeper shall prepare a monthly report which shall include:

- A) Balances from journals
- B) Adjusted bank balance, to include:
 - 1) Outstanding checks
 - 2) Deposits in transit
- C) Any other adjustments
- D) Analysis of the on-hand balance, to include:
 - 1) Amount due to the county finance officer
 - 2) Total on-hand balance due to litigants or other persons

Such a report shall be transmitted to the Sheriff by the bookkeeper by the tenth of the month following the reporting period.

Documentation must establish that such reports are properly produced and that a written procedure directs such reports to be made and details of their contents, form and preparation.

STANDARD 118

A written directive shall require shall provide that the person in charge of the Civil Division shall prepare a monthly report which shall include

Such directive shall specify the procedures for its preparation and shall require such report to include:

- A) Detailed and consolidated data of all monies collected, disbursed or otherwise handled, by type:
 - 1) Poundage
 - 2) Levy fees
 - 3) Mileage
 - 4) Filing fees
 - 5) Interest earned, etc.
 - 6) Bail
 - 7) Fines
 - 8) Miscellaneous fees or charges
- B) Disbursements to creditors, courts, etc.
- C) Itemized report of each type of process docketed
- D) Real and personal property sales
- E) And any other facts or statistics required by the sheriff

Such a report shall be transmitted to the Sheriff by the tenth of the month following the reporting period.

Documentation must establish that such directives and procedures are properly applied.

STANDARD 119

A written directive must require the creation of a yearly report prepared by the person in charge of the Civil Division. Such directive requires this report to be transmitted to the Sheriff on or before the fifteenth day of February immediately following the reporting period.

Such directive shall require the report to be prepared in such form as may be decided by the Board of Supervisors or Legislature and as approved by the Sheriff, that it contains a written procedure providing specific contents of such report, to include at minimum:

- A) Itemized list of each type of process handled by the Civil Division
- B) Number of property seizures and types of property
- C) Number of real and personal property sales held
- D) List of revenue accruals by type:
 - 1) Poundage
 - 2) Levy fees
 - 3) Mileage
 - 4) Filing fees
 - 5) Interest earned
 - 6) Miscellaneous fees
- E) Summary of the total monies collected from judgment debtors and disbursed to judgment creditors
- F) Total of monies turned over to the county treasurer as unclaimed
- G) Total of bail collected and disbursed
- H) Bank charges and reasons for such
- I) All other monies that were handled by the Civil Division

Such a directive requires the Sheriff to submit this report upon request by the Board of Supervisors or Legislature. Documentation must establish that such reports are prepared and that the directive is properly applied.

COMMENTARY

Detailed and summary reports are necessary as vital informational documents used for public relations, management of manpower and other resources for each year's budgetary process, and to keep employees knowledgeable in departmental matters. The report can also assist in the review and formation of annual goals.

It is suggested that each year the Sheriff requires a formal audit of the financial books and procedures to guard against improprieties, to aid in resource allocation and to ensure proper accounting procedures.

APPENDIX A - Sample FTO Evaluation Report

TIOGA COUNTY SHERIFF'S OFFICE CIVIL DIVISION DAILY FIELD TRAINING AND EVALUATION REPORT

TRAINEE NAME: _____ REPORT NO. _____

FTO NAME: _____

DATE: _____

GENERAL INSTRUCTIONS: This report is due on the day which follows training and evaluation.

RATING INSTRUCTIONS: Use the appropriate numerical value contained in the Field Training and Evaluation Guidelines to rate observed behaviors.

Use the category number to reference your remarks. Check (x) in the "Not Observed" (N.O.) box if you did not observe the indicated activity and the "Not Respond to Training" (N.R.T.) if the probationary deputy is not responding to training.

NOTE: YOU MUST COMMENT ON THE MOST AND LEAST ACCEPTABLE DAILY PERFORMANCE ACTIVITIES

RATINGS OF (1) OR (5) REQUIRE SPECIFIC COMMENTS

NOT ACCEPTABLE BY TCSO STANDARDS (1)	ACCEPTABLE LEVELS AVERAGE (2-3-4)	SUPERIOR BY TCSO STANDARDS (5)
--	---	--------------------------------------

DAILY WRITTEN TASKS (circle desired number)

Proper application and completion of civil forms	1	2	3	4	5	N.O.	N.R.T.
Proper use of internal forms, reports, schedules	1	2	3	4	5	N.O.	N.R.T.
Grammar, spelling, technical terms	1	2	3	4	5	N.O.	N.R.T.

Report writing	1	2	3	4	5	N.O.	N.R.T.
Record keeping	1	2	3	4	5	N.O.	N.R.T.
Correspondence with attorneys/creditors	1	2	3	4	5	N.O.	N.R.T.
Proper use of civil computer program	1	2	3	4	5	N.O.	N.R.T.

PERFORMANCE TASKS
(circle desired number)

Driving and routing skills	1	2	3	4	5	N.O.	N.R.T.
Field Performance	1	2	3	4	5	N.O.	N.R.T.
Self-initiated field activity	1	2	3	4	5	N.O.	N.R.T.
Officer safety	1	2	3	4	5	N.O.	N.R.T.
Conflict control/stressful situations	1	2	3	4	5	N.O.	N.R.T.
Problem solving	1	2	3	4	5	N.O.	N.R.T.
Radio protocol	1	2	3	4	5	N.O.	N.R.T.
Proper service methods	1	2	3	4	5	N.O.	N.R.T.
Proper procedure in conducting an eviction, sale, levy, etc.	1	2	3	4	5	N.O.	N.R.T.

KNOWLEDGE
(circle desired number)

TCSO Policies and Procedures	1	2	3	4	5	N.O.	N.R.T.
NYS CPLR, RPL, Landlord Tenant	1	2	3	4	5	N.O.	N.R.T.
V&T Law and other appropriate laws	1	2	3	4	5	N.O.	N.R.T.
Knowledge of local codes	1	2	3	4	5	N.O.	N.R.T.

ATTITUDES AND RELATIONSHIPS
(circle desired number)

Acceptance of feedback and training	1	2	3	4	5	N.O.	N.R.T.
Attitude towards supervisors and co-workers	1	2	3	4	5	N.O.	N.R.T.
Attitude towards Tioga County Sheriff's Office	1	2	3	4	5	N.O.	N.R.T.
Attitude towards general public	1	2	3	4	5	N.O.	N.R.T.
Attitude towards ethnic groups	1	2	3	4	5	N.O.	N.R.T.

APPEARANCE
(circle desired number)

General Appearance (indicate any problems)	1	2	3	4	5	N.O.	N.R.T.
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MOST ACCEPTABLE PERFORMANCE:

LEAST ACCEPTABLE PERFORMANCE:

ADDITIONAL COMMENTS (attach any relevant or important documentation if necessary)

PERSONAL CONSULTATION AND EVALUATION INTERVIEW

I, _____, have this date, participated in a consultation and evaluation interview with _____(FTO). I understand and I am aware of my performance level to date.

 Signature of FTO	 Signature of Trainee
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Appendix B - Standard Renumbering Crosswalk

LE Accr. Waiver	Civil Specifi c	2027 Manua l	2025 Manua l	Standard	Old	Standard	Section
X		1	1	Equal Opportunity Employer/Affirmative Action	1	Equal Opportunity Employer/Affirmative Action	I. Personnel, A. Recruitment
X		2	2	Job Announcement	2	Job Announcement	I. Personnel, A. Recruitment
X		3	3	Hiring Steps	3	Hiring Steps	I. Personnel, B. Selection
X		4	4	Selection	4	Selection	I. Personnel, B. Selection
X		5	5	High School Diploma	5	High School Diploma	I. Personnel, B. Selection
X		6	6	Hiring Age	6	Hiring Age	I. Personnel, B. Selection
X		7	7	Physical Fitness	7	Physical Fitness	I. Personnel, B. Selection
X		8	8	Psychological Screening	8	Psychological Screening	I. Personnel, B. Selection
X		9	9	Oral Interview	9	Oral Interview	I. Personnel, B. Selection
X		10	10	Background Investigation	10	Background Investigation	I. Personnel, B. Selection
X		11	11	Test Interpretation	11	Test Interpretation	I. Personnel, B. Selection
X		12	12	Record Maintenance	12	Record Maintenance	I. Personnel, B. Selection
X		13	13	Oath of Office	13	Oath of Office	I. Personnel, B. Selection
X		14	14	Police Officer Training	14	Police Officer Training	I. Personnel, C. Training
	X	15	15	FTO Program	15	FTO Program	I. Personnel, C. Training
X		16	16	In-Service Training	16	In-Service Training	I. Personnel, C. Training
	X	17	17	Basic Civil School (Phase I & II)	18	Police Supervision/Advanced Civil School	I. Personnel, C. Training
	X	18	18	Police Supervision/Civil Supervisor School	17	Basic Civil School	I. Personnel, C. Training

LE Accr. Waiver	Civil Specifi c	2027 Manua l	2025 Manua l	Standard	Old	Standard	Section
X		19	19	Firearms Training	19	Firearms Training	I. Personnel, C. Training
X		20	20	Instructor Development	20	Instructor Development	I. Personnel, C. Training
X		21	21	Supervisory Training	21	Supervisory Training	I. Personnel, C. Training
X		22	22	Job Specific Training	22	Job Specific Training	I. Personnel, C. Training
X		23	23	Training Records/Lesson Plans	23	Training Records/Lesson Plans	I. Personnel, C. Training
X		24	24	Disciplinary Practices	24	Disciplinary Practices	I. Personnel, D. Discipline
X		25	25	Relieved From Duty	25	Relieved From Duty	I. Personnel, D. Discipline
X		26	26	Disciplinary Process	26	Disciplinary Process	I. Personnel, D. Discipline
X		27	27	Grievance Procedure	27	Grievance Procedure	I. Personnel, D. Discipline
		28	28	BLANK	28	BLANK	
X		29	29	Performance Evaluation	29	Performance Evaluation	I. Personnel, E. Performance & Evaluation
X		30	30	Probation Period	30	Probation Period	I. Personnel, E. Performance & Evaluation
X		31	31	Promotion Announcement	31	Promotion Announcement	I. Personnel, E. Performance & Evaluation
X		32	32	Promotion Process	32	Promotion Process	I. Personnel, E. Performance & Evaluation
	X	33	33	Policy & Procedure Manual	33	Policy & Procedure Manual	II. Uniform Standards of Procedure
X		34	34	Use of Firearms	34	Use of Firearms	II. Uniform Standards of Procedure
	X	35	35B	Service of Process	35 A	Civil Arrest	II. Uniform Standards of Procedure
	X	36	35A	Civil Arrest	35 B	Service of Process	II. Uniform Standards of Procedure
	X	37	35C	Income Executions	35 C	Income Executions	II. Uniform Standards of Procedure

	X	38	35F	Property Executions	35 E	Order of Seizure	II. Uniform Standards of Procedure
LE Accr. Waiver	Civil Specific	2027 Manual	2025 Manual	Standard	Old	Standard	Section
	X	39	35D	Orders of Attachment	35F	Property Executions	II. Uniform Standards of Procedure
	X	40	35E	Orders of Seizure	35 D	Order of Attachment	II. Uniform Standards of Procedure
	X	41	35G	Warrants of Eviction	35 G	Warrants of Eviction	II. Uniform Standards of Procedure
X		42	36	Court Appearance	36	Court Appearance	II. Uniform Standards of Procedure
X		43	37	Personal Appearance	37	Personal Appearance	II. Uniform Standards of Procedure
X		44	38	Prisoner Custody	38	Prisoner Custody	II. Uniform Standards of Procedure
X		45	39	Subpoena/Trial Notice	39	Subpoena/Trial Notice	II. Uniform Standards of Procedure
X		46	40	Use of Force	40	Use of Force	II. Uniform Standards of Procedure
X		47	41	Use of Restraints/Non-Lethal Weapons	41	Use of Restraints/Non-Lethal Weapons	II. Uniform Standards of Procedure
X		48	42	Media Relations	42	Media Relations	II. Uniform Standards of Procedure
X		49	43	Orders & Bulletins	43	Orders & Bulletins	II. Uniform Standards of Procedure
X				ASSIGNED ABOVE	44	BLANK	
	X	50	45	Daily Reporting System	45	Daily Reporting System	II. Uniform Standards of Procedure
	X	51	46	Civil Records	46	Civil Records	II. Uniform Standards of Procedure
X		52	47	Emergency Driving Procedures	47	Emergency Driving Procedures	II. Uniform Standards of Procedure
X		53	48	Written Directives Management	48	Written Directives Management	II. Uniform Standards of Procedure
X		54	49	Organizational Chart (Civil)	49	Organizational Chart (Civil)	III. Organization of the Civil Division
	X	55	50	Job Classification	50	Job Classification	III. Organization of the Civil Division

X		56	51	Staffing Table	51	Staffing Table	III. Organization of the Civil Division
	X	57	52	Service Area Map	52	Service Area Maps	III. Organization of the Civil Division
LE Accr. Waiver	Civil Specifi c	2027 Manua l	2025 Manua l	Standard	Old	Standard	Section
X		58	53	Employee Accountable	53	Employee Accountable	III. Organization of the Civil Division
X		59	54	Supervisory Accountable	54	Supervisory Accountable	III. Organization of the Civil Division
X		60	55	Lawful Orders	55	Lawful Orders	III. Organization of the Civil Division
X		61	56	Conflicting Orders	56	Conflicting Orders	III. Organization of the Civil Division
X		62	57	Employee Recognition	57	Employee Recognition	IV. Recognition of Employee Performance
X		63	58	Mission Statement	58	Mission Statement	IV. Recognition of Employee Performance
X		64	59	Goals & Objectives	59	Goals & Objectives	IV. Recognition of Employee Performance
X		65	60	Evaluation of Goals & Objectives	60	Evaluation of Goals & Objectives	IV. Recognition of Employee Performance
X		66	61	Authority for Fiscal Management	61	Authority for Fiscal Management	V. Fiscal Management
X		67	62	Accounting System	62	Accounting System	V. Fiscal Management
X		68	63	Accounting System, All Funds	63	Accounting System, All Funds	V. Fiscal Management
	X	69	64	Internal Fiscal Monitoring	64	Internal Fiscal Monitoring	V. Fiscal Management
X		70	65	Inventory Control of County Property	65	Inventory Control of County Property	V. Fiscal Management
X		71	66	Responsibility for County Property	66	Responsibility for County Property	V. Fiscal Management
X		72	67	Procurement of County Property	67	Procurement of County Property	V. Fiscal Management
X		73	68	Civil Division Property Control System	68	Civil Division Property Control System	V. Fiscal Management
X		74	69	Responsibility for Civil Division Property	69	Responsibility for Civil Division Property	VI. Records Management

X		75	70	Inventory Control of Civil Division Property	70	Inventory Control of Civil Division Property	VI. Records Management
X		76	71	Inventory Control of Civil Process Property	71	Inventory Control of Civil Process Property	VI. Records Management
				ASSIGNED ABOVE	72	BLANK	
LE Accr. Waiver	Civil Specifi c	2027 Manua l	2025 Manua l	Standard	Old	Standard	Section
	X	77	73	Maintenance of Records System	73	Maintenance of Records System	VI. Records Management
				ASSIGNED ABOVE	74	BLANK	
				ASSIGNED ABOVE	75	BLANK	
				ASSIGNED ABOVE	76	BLANK	
X		78	77	Civil Division Arrest History	77	Civil Division Arrest History	VI. Records Management
X		79	78	Use of Force	78	Use of Force	VII. Use of Force
X		79	78	Use of Force Policy	79	Use of Force Policy	VII. Use of Force
X		80	79	Issuance of Use of Force Policy	80	Issuance of Use of Force Policy	VII. Use of Force
X		82	81	Warning Shots	81	Warning Shots	VII. Use of Force
X		83	82	Use & Carry Firearms	82	Use & Carry Firearms	VII. Use of Force
X		84	83	Use of Less Lethal Weapons	83	Use of Less Lethal Weapons	VII. Use of Force
X		85	84	Firearms Discharge	84	Firearms Discharge	VII. Use of Force
X		86	85	Reporting Deadly Physical Force	85	Reporting Deadly Physical Force	VII. Use of Force
X		87	86	Internal Affairs	86	Internal Affairs	VIII. Internal Affairs
X		88	87	Internal Affairs; Complaint Investigation	87	Internal Affairs; Complaint Investigation	VIII. Internal Affairs
X		89	88	Responsibility; Internal Affairs	88	Responsibility; Internal Affairs	VIII. Internal Affairs

APPENDIX A - Sample FTO Evaluation Report

X		90	89	Written Directives; Internal Affairs	89	Written Directives; Internal Affairs	VIII. Internal Affairs
X		91	90	Complaint Records; Internal Affairs	90	Complaint Records; Internal Affairs	VIII. Internal Affairs
X		92	91	Complainant Notification; Internal Affairs	91	Complainant Notification; Internal Affairs	VIII. Internal Affairs
X		93	92	Records Security & Internal Affairs	92	Records Security & Internal Affairs	VIII. Internal Affairs
LE Accr. Waiver	Civil Specifi c	2027 Manua l	2025 Manua l	Standard	Old	Standard	Section
X		94	93	Liaison with Prosecutor; Internal Affairs	93	Liaison with Prosecutor; Internal Affairs	VIII. Internal Affairs
X		95	94	Responsibility for Public Information	94	Responsibility for Public Information	IX. Public Relations
	X	96	95	Responsibility for Community Relations	95	Responsibility for Community Relations	IX. Public Relations
				ASSIGNED ABOVE	96	BLANK	
	X	97	97	Civil Division; Positions & Duties	97	Civil Division; Positions & Duties	X. Office Operations
	X	98	98	Civil Division; Hours of Operation & Staffing	98	Civil Division; Hours of Operation & Staffing	X. Office Operations
	X	99	99	Civil Division; Fee Schedule	99	Civil Division; Fee Schedule	X. Office Operations
	X	100	100	Civil Division; Personal Property Management	100	Civil Division; Personal Property Management	X. Office Operations
				ASSIGNED ABOVE	101	COMBINED INTO 35-41	
	X	101	102	Process Serving; Off Duty Employment	102	Process Serving; Off Duty Employment	X. Office Operations
	X	102	103	Civil Process; Geographical Area	103	Civil Process; Geographical Area	X. Office Operations
	X	103	104	Civil Division; Access to Records	104	Civil Division; Access to Records	X. Office Operations
	X	104	105	Civil Division; Legal Advisor	105	Civil Division; Legal Advisor	X. Office Operations
	X	105	106	Civil Division; Offering of Legal Advice	106	Civil Division; Offering of Legal Advice	X. Office Operations
	X	106	112	Security & Inventory of Accounting Supplies	107	Civil Division, Financial Transactions	X. Office Operations

				ASSIGNED BELOW	108	COMBINED INTO 73	
				ASSIGNED BELOW	109	COMBINED INTO 35-41	
				ASSIGNED BELOW	110	COMBINED INTO 35-41	
				ASSIGNED BELOW	111	COMBINED INTO 35-41	
	X	107	107	Financial Transactions - pmt acceptance/receipts	112	Security & Inventory of Accounting Supplies	X. Office Operations
LE Accr. Waiver	Civil Specifi c	2027 Manua l	2025 Manua l	Standard	Old	Standard	Section
	X	108	113	Cash Receipts Journal	113	Cash Receipts Journal	X. Office Operations
	X	109	116	Official Receipts	114	Cash Disbursement Journal	X. Office Operations
	X	110	NEW	Financial Transactions - transfers/deposits			X. Office Operations
	X	111	NEW	Cash Deposit Journal			X. Office Operations
	X	112	NEW	Financial Transactions - disbursements	115	Subsidiary Ledger	X. Office Operations
	X	113	114	Cash Disbursement Journal			X. Office Operations
	X	114	115	Subsidiary Ledger	116	Official Receipts	X. Office Operations
	X	115	117	Cashier's Daily Report	117	Daily Cashier's Report	X. Office Operations
	X	116	118	Cashier's Monthly Report	118	Monthly Cashier's Report	X. Office Operations
	X	117	119	Bookkeeper's Monthly Report	119	Monthly Bookkeeper's Report	X. Office Operations
	X	118	121	Member In Charge Monthly Report	121	Annual Report	X. Office Operations
	X	119	120	Annual Report	120	Supervisor's Monthly Report	X. Office Operations

Waivered if LE Accredited

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Civil Mandatory

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Appendix C - Power DMS Assessors Guide

New York State Sheriff's Association Accreditation

Assessor Guide:

Assessing compliance using PowerDMS

This guide provides New York State Sheriff's Association (NYSSA) assessors with information to access facility PowerDMS sites, to navigate the assessment, and to assess compliance documentation.

I. Getting Started

To conduct a NYSSA Assessment you will need the following:

1. The NYSSA Assessor Unlock Key to the standards
2. The agency's PowerDMS Site Key
3. The agency's PowerDMS site Username and Password

To conduct a Mock Assessment, you will need the following:

1. The agency's PowerDMS Site Key
2. The agency's PowerDMS site Username and Password

A. NYSSA Assessor Unlock Key (NYSSA Assessors Only)

1. Once you are assigned to conduct a NYSSA Assessment with an agency using PowerDMS, contact the PowerDMS Partner Success Team at partnersuccess@powerdms.com and ask for the NYSSA Assessor Unlock Key. You will need to provide the agency name you will be assessing, your name and email address, and the standards manual you are assessing the agency against. You may also contact PowerDMS for assistance at support@powerdms.com or 888-959-5158.

Note: *The NYSSA Assessor Unlock Key protects the integrity of the assessment. This unlock key acts as a password to allow members of the assessment team to change the status of the file. Agency personnel are not provided the Unlock Key!*

2. PowerDMS recommends keeping the NYSSA Assessor Unlock Key in a place where it can be copied and pasted into the appropriate field within the agency's assessment. Copy and pasting the Unlock Key will expedite setting statuses to the standards as you will not have to type it each time you log in.
3. If you have problems using the Unlock Key, contact PowerDMS at support@powerdms.com or call 888-959-5158

B. Agency Site Key, Username, and Password

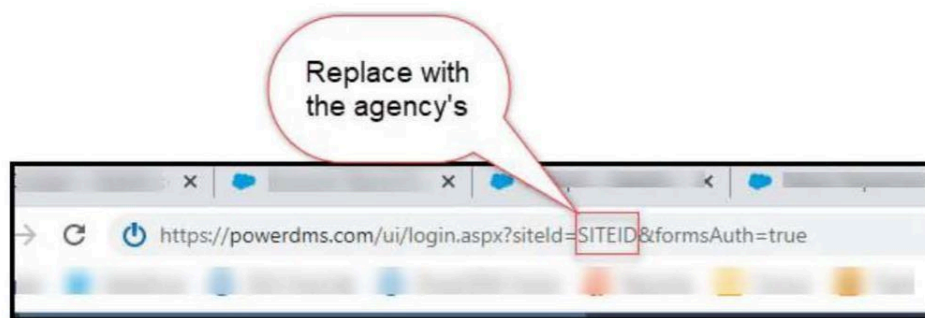
1. Contact the agency requesting the assessment and ensure you have been added to the assessment as *NYSSA Assessor* or *Mock Assessor* depending on the type of assessment you will be conducting.
2. Confirm the agency has added you to the assessment with the responsibility to **OBSERVE** the Accreditation Manager role and the responsibility to **PARTICIPATE** in the NYSSA Assessor / Mock Assessor role.
3. Request the agency's PowerDMS Site Key (see instructions above)
4. Request the Username and Password from the agency
5. Log into the agency's PowerDMS site to ensure your access.

***Note:** The first time you log in, you may be prompted to change your password. Change the password to something you can remember as you will use this password **each** time you log in.*

C. Single Sign On

Some agencies use the single sign on (SSO) feature offered through PowerDMS. When you attempt to log into an agency site that uses SSO, you will be routed to the agency's network for login instead of PowerDMS. You will *not* be able to log in. In such instances, use the following link to bypass the SSO. You will need to replace *SITEID* portion of the URL address with the *SITE ID* you received from the agency.

1. Copy <https://powerdms.com/ui/login.aspx?siteId=SITEID&formsAuth=true> into your browser's address bar.
2. Replace "SITEID" with the agency's SITE ID (It will *not* appear in red font when you copy it into your browser's address bar).
3. Log in with the PowerDMS credentials provided by the agency.



D. Logging In

1. Ensure the agency's information appears in the login window and enter the Username and Password provided by the facility (note: If you use PowerDMS within your own organization, this username and password will be different).

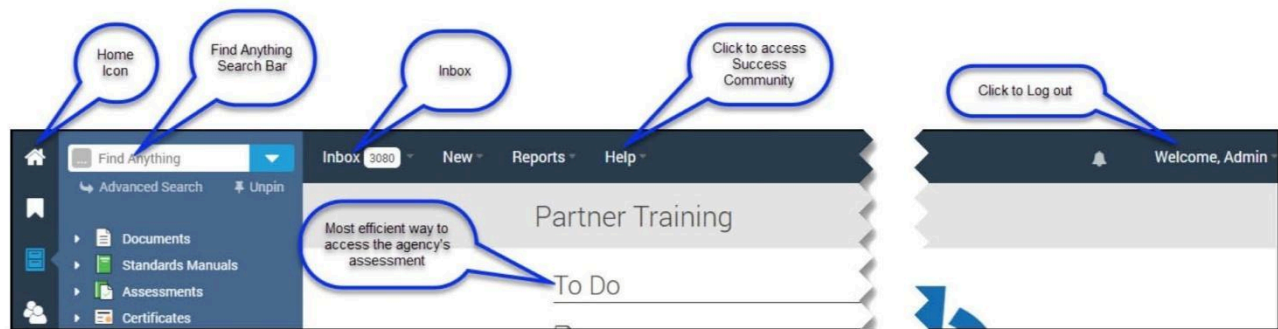
2. If the agency's name does not appear in the log in window, you will need to **change sites** and enter the agency's unique Site Key, then enter the username and password provided.

The screenshot shows the PowerDMS login interface. At the top, the 'PowerDMS' logo is displayed. Below it, a large circular arrow graphic surrounds a central login box. The login box contains the text 'Welcome to PowerDMS!' and fields for 'Username' and 'Password', followed by a green 'Login' button. A link for 'Forgot Password?' is also present. Three callout boxes provide additional information: one points to the login fields with the text 'Enter Username and Password here', another points to a 'Change Site' link with the text 'Change Site ID', and a third points to the 'Change Site ID' link with the text 'Change Site ID'.

II. General Site Orientation

Every agency's PowerDMS site has the same basic features. Most agencies customize their PowerDMS site with their logos or branding, but all sites have a home icon, Find Anything search bar, Inbox, Help menu, To Do list, and a Welcome, NAME drop-down menu. These features are defined as follows:

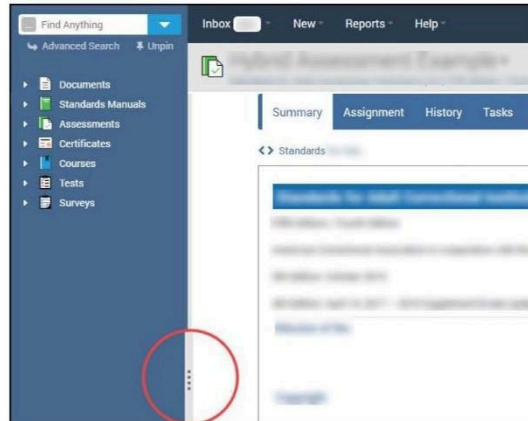
1. Home Icon: Clicking this icon in the upper left corner of your screen returns you to the home page. This icon is always visible from any location within PowerDMS.
2. Find Anything Search Bar: Typing keywords and phrases in this search field displays content the user has access to within the Agency's PowerDMS site.
3. Inbox: Contains a list of all work the user is required to complete within PowerDMS. For assessments, this work is to "set status" to the standards upon review.
4. Help Menu: This drop-down menu gives you access to the PowerDMS Success Community where more information on conducting assessment can be found.
5. To Do List: The To Do list creates a priority of work items found in your inbox. This list has convenient links that will navigate you directly to the assessment.
6. Welcome, NAME menu: This drop-down menu is where you logout from the agency's site.



III. Accessing Standards

The most efficient way to access the assessment is to follow the link from the **TO DO** list on the PowerDMS homepage.

1. Once you are inside the assessment, navigate to the standard you want to review via the Table of Contents on the left pane. To access the Table of Contents, locate the four vertical dots along the left margin of the assessment. These dots are centered vertically along the left margin.

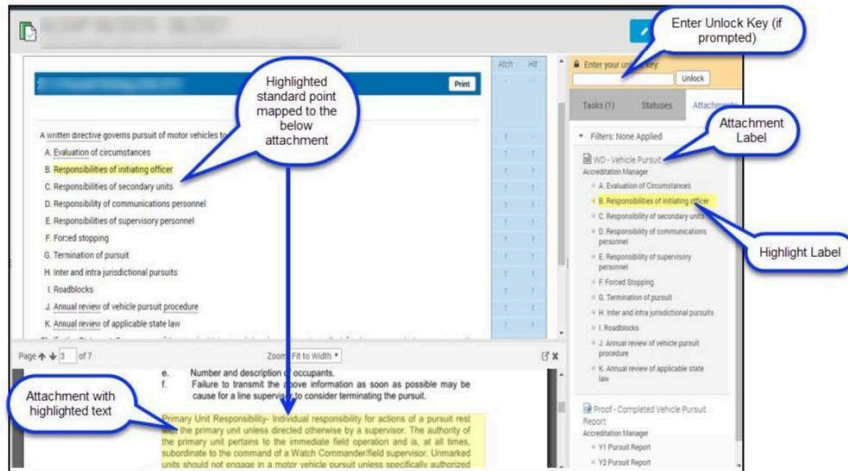


2. Click the dots to expand the Table of Contents.
3. Click on the chapter headings to access the standards.

IV. Reviewing Attachments

1. If you are a NYSSA Assessor, you will need to enter your Unlock Key **each** time you log in to the agency's PowerDMS site. Enter (or copy and paste) the Unlock Key in the field provided and click **UNLOCK**.

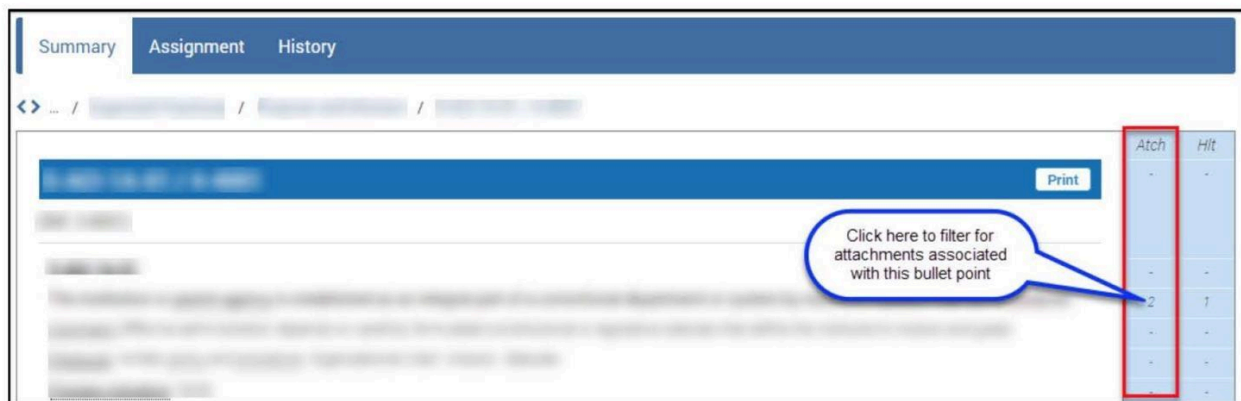
2. Select the **ATTACHMENTS** tab to review the items that are attached as proof of compliance to the standard.
3. Click on the attachment's name to view both the standard and the attachment that is used as proof of compliance. The labels beneath the attachment's name link to highlights in the proof of compliance. Click on these labels to quickly and easily determine the agency's compliance to the standard.



V. Filtering Standards

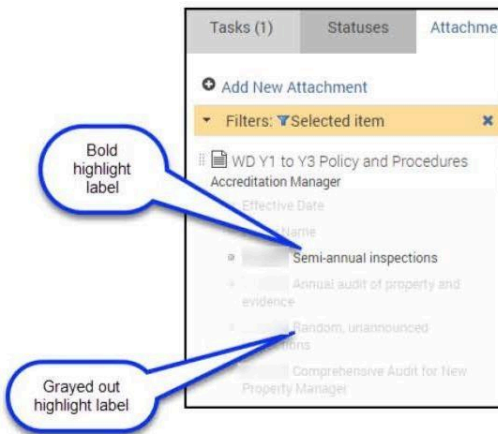
During your file review, you may review attachments and highlights associated with a single bullet at a time. If the agency's project manager mapped attachments and highlights to specific bulleted points on bulleted standards, PowerDMS makes examining bulleted standards quick and easy by allowing you to review each proof of compliance and all highlights specific to each bullet point one at a time

1. Select the number to the right of the standard you want to review under the "Atch" column. Only attachments mapped to the filtered bullet point will appear in the list of attachments on the right of your screen.



- Click on the **bold highlight labels** to review compliance for that bullet point.

Note: When you filter for attachments, only attachments mapped to the bullet point will appear in the attachments list on the right of your screen. Highlights mapped to the bullet point will have **bold highlight labels**. Those highlights mapped to other bullet points will be grayed out.



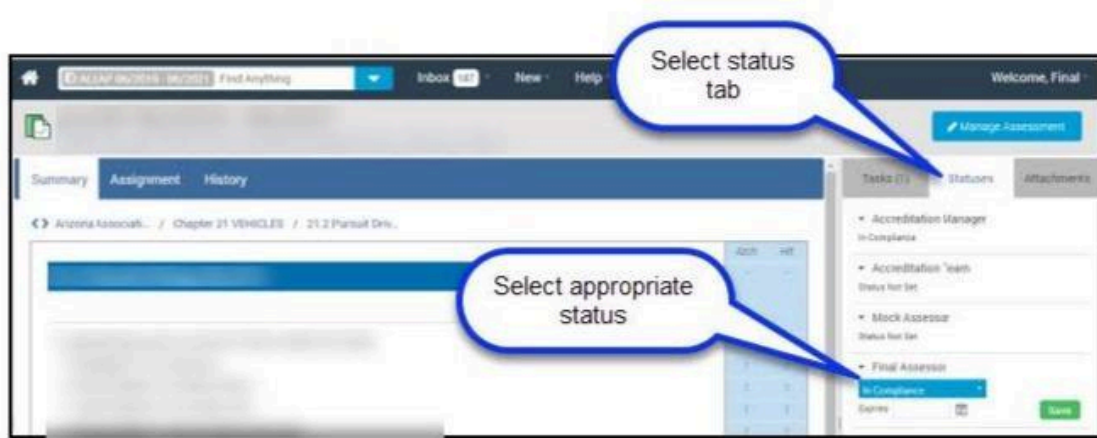
VI. Setting Statuses and Adding Simple Notes

Setting status is how you authenticate the agency's compliance with each standard. Once you review attachments to the standard, you can set the status to indicate the agency's level of compliance. If you need additional information from the agency or want to add a comment, you can add a Simple Note to the standard.

A. Setting Status

- Navigate to the **Status** tab of the Standard
- Locate your role in the list
- Select the appropriate Status from the drop-down menu
- DO NOT** enter an expiration date (the status will be date/time stamped when you set it).
- Click **SAVE**

NOTE: After you set the status of the standard, it will be removed from your inbox and **TO DO** list

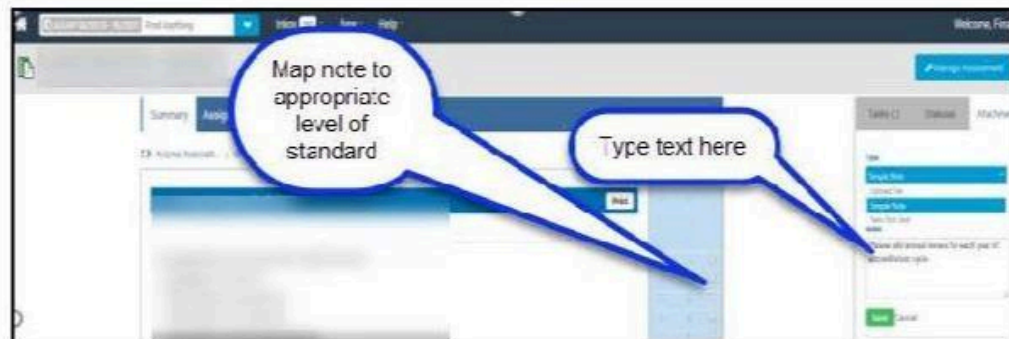


B. Adding Simple Notes

Simple Notes can act to document findings during the file review. These notes can be exported into a Word, Excel, or PDF document and saved for completing reports for the NYSSA.

To add a Simple Note:

1. Navigate to the **Attachments** tab of the standard.
2. Select **Add New Attachment**
 - a. From the *Type* drop-down list, select **Simple Note**
 - b. Type your notes in the space provided.
 - c. Map the Simple Note to the appropriate level of the standard (or bullet point).
 - d. Click **SAVE** when you are finished.



Your added note will appear at the bottom of the list of attachments in the right pane (below the agency's attachments).

V. Reports

Typically, the agency does not give assessors access to the PowerDMS Report feature. However, you can ask the agency's project manager to run a **Status Report for One Role** report specifically for the **NYSSA Assessor** or **Mock Assessor** role.

To access all the Simple Notes added by an assessor, the assessor can filter all of the assessment's attachments for SIMPLE NOTES by NYSSA Assessor role (or Mock Assessor role) to generate a report of the Simple Notes (or findings) added during the file review.

To export assessor Simple Notes:

1. Navigate to the root of the manual
2. Click on the **ATTACHMENTS** tab
3. Select the *SIMPLE NOTES* from the **Attachment Type** drop-down menu
4. Select NYSSA (OR MOCK) ASSESSOR role from the **Added by Role** drop-down menu
5. Click the *Filter* button
6. Select the preferred file type icon for export (Excel, Word, PDF) in the upper right-hand corner of the table.

The screenshot shows the 'Attachments' tab in the PowerDMS interface. It includes filter fields for 'Notes', 'Attachment Type' (set to 'Simple Note'), 'Added by Role', 'Added after date', 'Added before date', and 'Status'. There are 'Filter' and 'Reset' buttons. Below the filters is a 'Select Action' button. A table of attachments is displayed with columns: Standard, Notes, User, Role, Created, Status, PowerDMS Document, and a red flag icon. The first row shows a 'View' action for a '10.1.1 Records Security' standard with a note about compliance. The bottom of the table shows pagination: 'Page: 1 of 1', 'Go', 'Page size: 8', 'Change', and 'Item 1 to 8 of 8'. Callouts indicate: 'Select "Simple Note"' pointing to the Attachment Type dropdown, 'Select Role' pointing to the Added by Role dropdown, and 'Select file type for export' pointing to the export icons in the top right of the table.

	Standard	Notes	User	Role	Created	Status	PowerDMS Document	
☐	View	10.1.1 Records Security	NEEDS REPAIRED: Not in Compliance Attach proof for substandard 10.1.1.1 for each year of the assessment cycle.	admin - admin admin	Accreditation Manager	2/19/2020		N/A

VI. Help and Support

The PowerDMS assessment tool can be used in many ways. Choose the method that works best for your team and be consistent.

The PowerDMS Service Desk Support can be reached by calling (888) 959-5158 or by e-mailing support@powerdms.com Monday through Friday, from 8:00 a.m. to 5:00 p.m. Eastern time.

Don't get stuck or frustrated - reach out, we are happy to assist!

For more information, see [Conducting an Assessment in PowerDMS](#) for a video tutorial and the Article [Conducting a Mock and Final Assessment](#).

Appendix D - Operational Audit/Assessors' Guide

New York State Sheriffs' Association, Inc. Civil Division Accreditation

This guide has been generated to assist assessors with accreditation and operational audits. This guide is intended to assist the assessors and is not intended to be a step-by-step user manual.

THE ACCREDITATION ASSESSMENT TEAM

The New York State Sheriffs' Association Accreditation Assessment Teams generally consist of three members, each with varying degrees of experience and areas of expertise in the Civil field. Teams should utilize these strengths to assist them in the assessment process, calling upon each member to assist the team as a whole. Team members should expect the accreditation process to last one to two business days. Whenever possible, at least one member of the assessment team shall be from an agency of the same approximate size as the agency being assessed.

PRIOR TO THE ON-SITE ASSESSMENT

- A) Determine whether the agency uses a physical folder system for their accreditation files or a digital program such as Power DMS.
 - 1) If Power DMS is used, verify the agency has completed the pre-assessment tasks with Power DMS from the guide in Appendix C. Verify that the agency has ample workspace and resources to allow for each assessor to have a workstation with (ideally) one large or two small screens and access to Power DMS.
- B) Team members should be prepared to provide any items they find personally helpful and not rely on the host agency to provide these items (ex. pens, paper, sticky notes, highlighters).
- C) Assessors should wear professional business attire.

ASSESSMENT TEAM MEETING

A formal meeting is not required, but the team should meet the day before or the morning of the assessment.

- A) Team Leader
 - 1) Selected based on experience, unless the team chooses to assign leadership to a junior assessor for training purposes.
 - 2) Responsible for coordinating the assessment and completing required paperwork.
- B) Approach to the Accreditation
 - 1) Agency history, staffing, and operational characteristics.
 - 2) Prior accreditation or audit status.
 - 3) New administrators or staff.
 - 4) Experience level of Civil personnel.

- 5) Flexibility is essential; plans may need to adjust based on conditions encountered.
- 6) Apply common sense, sound judgment, and reasonableness.

THE ON-SITE ASSESSMENT

A) Initial Steps

- 1) The team should meet briefly before the start time.
- 2) Initial meetings should occur with the Sheriff or Undersheriff, followed by the Civil Division supervisor or department head. The department head should remain available throughout the assessment.
 - a) This is often addressed by the New York State Sheriffs' Association in an email to the Civil office, advising staff members involved to be made available the day of the accreditation. However, it is common for some administration or members of the Civil Division to be absent. This may need to be taken into consideration when determining the team's approach.
- 3) The team leader should outline the assessment process with the department head.
- 4) Assessors should be prepared to ask questions regarding staffing, operations, and statistics.

B) Facility Tour

- 1) A brief tour provides context, operational insight, and familiarity with the Civil Division's layout.

B) Reviewing Standards and Files

- 1) Accreditation files should be divided based on team members' strengths.
- 2) Remain flexible.
 - a) File format may differ from an assessor's home agency; focus on compliance, not preference.
 - b) Confirm that the file meets the standard and that the agency's SOP supports compliance.
 - c) Agency-wide policies may satisfy standards referencing the Civil Office of Sheriff.

C) Counties with Law Enforcement Accreditation

- 1) These counties receive waivers for Civil standards identical to law enforcement standards.
- 2) The Sheriff will be asked to certify Civil Division compliance with waived standards.
- 3) No file is required for waived standards, but assessors may request documentation or review law enforcement accreditation files.
- 4) Waivers remain valid only while law enforcement accreditation is active.

D) Civil-Specific Standards

- 1) Agencies must document compliance for each Civil-specific standard.
 - 2) During reaccreditation, assessors may review all or spot-check files.
 - 3) Documentation for the most recent occurrence may be added to the same file.
- E) Counties Without Law Enforcement Accreditation
- 1) Must document compliance with all standards, including law enforcement and Civil-specific standards.
- F) Handling Problem Files
- 1) If the standard is unclear or documentation appears insufficient, consult another team member.
 - 2) Use the team's collective expertise to resolve concerns.
- G) High-Priority Files
- 1) Files 15 and 33, and most financial files, commonly present issues.
 - 2) Review these early to allow the agency time to correct deficiencies or update SOPs.
- H) Note-Taking
- 1) Assessors should take notes on all files they review.
 - 2) Notes support the debriefing and final report.
- I) Standard Compliance Reports
- 1) Each assessor completes the "Assessor Use Only" section for assigned standards.
 - a) Compliance
 - i. Recommended only when all applicable standards are fully implemented.
 - ii. Compliance may be demonstrated through documentation, interviews, or observation.
 - b) Non-Compliance
 - i. In some instances, the assessment team may determine that an agency did not demonstrate full compliance with all applicable standards during the on-site assessment.
 - ii. The team leader prepares a written explanation identifying the standard and the reason for non-compliance.
 - iii. Additional documentation may be requested from the host agency after the on-site visit. The NYSSA will be in contact with the Sheriff or his/her designee to obtain additional documentation.
 - 2) Provide remarks or recommended improvements.
 - 3) Sign and date each standard.

POST-ASSESSMENT

- A) Standard Compliance Reports The team leader collects and verifies all signed reports.
- B) Debriefing At minimum, the Sheriff or Undersheriff should receive a comprehensive overview of findings.

- C) **Post-Accreditation Report** The team leader prepares and submits the final report and all Standard Compliance Reports to NYSSA within a reasonable timeframe.

THE OPERATIONAL AUDIT ASSESSMENT TEAM

Operational Audits are conducted in much the same manner as accreditation assessments. Audit Teams typically consist of two members. Teams should expect the accreditation process to last one to two business days. The New York State Sheriffs' Association has prepared the "NYSSA Civil Office Audit & Review Guide" to be utilized when conducting an Operational Audit.

Procedure:

- A) The Audit Team should meet with the Sheriff/Undersheriff or their designee upon arrival at the department. Determine the reason for requesting the audit – this will help in the interview process and in preparing the Post Assessment Report. The team should also meet with the agency head or designee prior to the assessment to ask questions regarding the general makeup of the agency as well as the Civil Division.
- B) The audit team may wish to request copies of reports such as daily, monthly or annual reports of Civil Division activity. These, combined with staffing, geographic coverage and population can be used to help gauge the division activities with produced results.
- C) Visually inspect the physical work area of the Civil Division.
- D) NYSSA Civil Office Audit & Review Guide
 - 1) Ask general questions of all employees present.
 - 2) Fill in the guide, taking appropriate notes.
 - 3) Once a general question and answer session has been completed, the team should interview the Civil Division employees separately. This can help to identify issues within the division that affect operational efficiency.
- E) When the Operational Audit has been completed, the team should meet with the Sheriff/Undersheriff, or their designee, to provide an overview of the assessment. a. Both (all) team members shall complete a Post Assessment Report and submit it to the New York State Sheriff Association. The report should include a general debriefing along with suggestions for improved operational efficiency, delegation of duties, etc. This report should be completed within a reasonable amount of time.

Appendix E - STANDARD COMPLIANCE REPORT

NEW YORK STATE SHERIFFS' ASSOCIATION, INC. CIVIL DIVISION ACCREDITATION PROGRAM

FOR COUNTY USE

Name of County	
Standard Number	
Prepared by	
Method of Compliance	☐ Written directive (must be attached) ☐ Written documentation (must be attached) ☐ Observations ☐ Interview(s); specify names and titles
Identify source(s) and explain	

ASSESSOR USE ONLY

☐ Compliance	☐ Non-compliance
Remarks/Recommendations:	
Assessor Signature	Date:

Appendix F - Civil Division Assessors

County	Name	E-mail Address	Mobile Phone	Business Phone
Blackcreek	Chris Lian	clian@blackcreekisc.com	607-259-5342	607-776-4406
Broome	Jesse Genter	Jesse.genter@broomecounty.us	607-221-2705	607-778-1908
Broome	Danielle Evans	danielle.evans@broomecountyny.gov		607-778-2926
Chenango	Wendi Curtis	WCurtis@chenangocountyny.gov		607-337-1849
Columbia	Ian Boehme	ian.boehme@columbiacountysheriff.us		
Erie	Dan Grasso	Daniel.Grasso@erie.gov		716-572-1667
Livingston	Dawn Hamsher	DawnHamsher@livingstoncountyny.gov		
Livingston	Jayme Babocsci	JamyeBabocsi@livingstoncountyny.gov	585-358-8724	585-243-7166
Madison	Nicole Malbouf	nicole.malbouf@madisoncounty.ny.gov		315-366-2324
Nassau	Dennis O'Brien	dobrien@nassaucountyny.gov		
Nassau	Jeff Kuchek	jkuchek@nassaucountyny.gov	516-273-6621	516-571-6543
Oneida	Craig Critelli	cjcritelli@sheriff.oneidacountyny.gov	315-794-9226	315-798-5441
Onondaga	Joseph Kelly	JosephHKelly@ongov.net	315-569-2936	315-435-3060 x 1336
Oswego	Cory Monroe	cmonroe@oswegocounty.com	315-628-1427	315-349-3326
Putnam	Mike Grossi	mgrossi3010@gmail.com		
Retired	David Smith	desmith137@yahoo.com	315-246-9437	
Rockland	Dennis Salemo	salemod@rcpin.net	845-641-6527	845-638-5704
Tioga	Kimberly Lombardoni	lombardonik@tiogacountyny.gov	607-727-7940	607-687-8461
Ulster	Griff Liewa	glie@co.ulster.ny.us	914-389-9604	
Warren	John Howse	john.howse@warrencountysheriffny.us		518-743-2583