

~~X~~ STANDARDS AND GOALS FOR
OKLAHOMA'S
CRIMINAL JUSTICE SYSTEM

1944
LH467

LAW ENFORCEMENT

Revision #2

This revision of the Goals, Objectives and Strategies for Law Enforcement in Oklahoma is the result of Committee work conducted over the period 8/11/76 through 10/7/76.

I. Goal: Define and Evaluate the Law Enforcement* Function

I.A Objective: Every law enforcement agency should develop written policies and should periodically review objectives, priorities and procedures for itself. These policies should describe the function of the agency, including:

- a. Services to be provided;
- b. Goals and objectives for the agency and for each of its units;
- c. Role of law enforcement personnel generally and of nonsupervisory officers specifically;
- d. Limits of authority;
- e. Use of discretion; and
- f. Areas of operations in which guidance is needed to direct agency employees toward the attainment of agency goals and objectives.

Possible Strategies

- I.A,1 A law enforcement agency's policies should be developed by its chief executive, based on policies of the governing body that provides formal authority for its law enforcement function.
- I.A,2 The chief law enforcement administrator should be held fully responsible for agency operations.
- I.A,3 The chief law enforcement administrator should be given full control over the management of the department. Legislators, civil service commissions, and employee associations should not restrict the flexibility that is required for effective management.
- I.A,4 The law enforcement administrator has the responsibility to exert leadership in seeking to improve the quality of law enforcement service and in seeking to solve communitywide problems of concern to the law enforcement agency.

* The term "Law Enforcement" should be understood to include all Oklahoma law enforcement agencies; city and small town police departments, county sheriff's departments and the Department of Public Safety.

- I.A,5 The position of law enforcement agency chief executive should be recognized as being among the most important and most demanding positions in the hierarchy of governmental officials.
- I.A,6 The law enforcement chief executive should encourage suggestions from every level of authority in increasing the overall efficiency and operation of the law enforcement agency.
- I.A,7 The law enforcement chief executive should acknowledge that the basic purpose of the agency is to maintain public order and control crime.
- I.A,8 The law enforcement chief executive should determine the relevance of agency services to the objectives established by the law enforcement agency, determine the budgetary cost of the services, and inform the public of the effect that provision of the service will have on the agency's ability to continue its present level of enforcement services. If some services are found to have little relationship to agency objectives, the law enforcement chief executive should resist such services becoming a duty of the agency. If a service is to be provided by the agency, it should be placed in perspective with other agency services and considered when priorities are determined,
- I.A,9 The law enforcement chief executive should determine the scope and availability of other agency and community services and develop the ability to make effective referrals to those services.
- I.A,10 Law enforcement chief executives should develop short-and long-range goals and objectives to guide agency and unit functions.
- a. Goals and objectives should be: consistent with the defined role of the law enforcement agency; responsive to local needs; reasonably attainable; flexible; quantifiable and measurable.
 - b. Law enforcement agencies should provide for maximum input from persons within and outside the agency in the development of its goals and objectives.
 - c. Goals and objectives should be published and disseminated to provide uniform direction of employee efforts.

- d. Law enforcement chief executives should annually study and revise established agency objectives and priorities in connection with budget preparation.

I.A,11 Law enforcement administrators should take steps to insure that every officer has an understanding of his or her role.

- a. Officers of basic rank should be involved in developing policy which determines the role of law enforcement personnel.

- b. Middle managers and first-line supervisors should receive training in the role of the law enforcement officer.

- c. Routine officers performance evaluations should take into account all activities performed within the context of the defined role.

I.A,12 Law enforcement chief executives should seek to continually enhance the role of the nonsupervisory officer by providing status and recognition within the agency and encouraging similar status and recognition within the community.

I.A,13 Law enforcement chief executives should establish and disseminate to the public and every agency employee written policy acknowledging that law enforcement effectiveness depends upon public approval and acceptance of agency authority.

I.A,14 Agency policy should acknowledge that:

- a. The limits of agency authority are prescribed by law;
- b. There are times when force must be used by officers but that no situation justifies the use of unreasonable force;
- c. The law enforcement agency and its personnel must be accountable to the community; and
- d. Procedures would be established for responding to citizen complaints, suggestions, and requests concerning agency services and policies.

I.B Objective: Law enforcement agencies should acknowledge the existence of the broad range of administrative and operational discretion exercised by all law enforcement agencies and individual officers in the form of comprehensive policy statements that publicly establish the limits of discretion, that provide guidelines for its exercise within those limits, and that eliminate discriminatory enforcement of the law.

Possible Strategies

I.B,1 Law enforcement chief executives should establish policy that:

- a. Guides the exercise of discretion by agency personnel in using alternatives to arrest.
- b. Limits the exercise of discretion by agency personnel in conducting investigations.
- c. Governs the exercise of discretion by agency personnel in providing routine peacekeeping and other frequently needed law enforcement services.
- d. Formalizes procedures for developing and implementing the written agency policy.

I.B,2 Inspection and control procedures should be adopted to insure that officers exercise their discretion in a manner consistent with agency policy.

I.C Objective: Law enforcement chief executives should acknowledge in written policy statements the important role of the news media and should:

- a. Promote an aggressive policy of presenting public information;
- b. Provide regular liaison between the agency and the media; and
- c. Develop a plan for liaison between their agency and the news media during unusual occurrences.

I.D Objective: Law enforcement chief executives should establish a formal inspection system to provide them with the information needed to evaluate the efficiency and effectiveness of agency operations and personnel.

Possible Strategies

I.D,1 Every law enforcement agency should establish ongoing line inspections. Each chief executive should give every manager and supervisor the responsibility and the authority to hold inspections and:

- a. To conduct continual inspections of all subordinate personnel directly responsible to him or her through any level of the chain of command and to inspect the equipment used and the operations performed by such subordinate personnel;

- b. To take immediate action when indicated by the results of such inspections including commendation for exemplary performance and correction of deficiencies.

I.D,2 Every law enforcement chief executive should implement routine scheduled and unscheduled inspections of all personnel, material, and operations. When the chief executive cannot personally conduct these inspections, staff inspections should be provided to meet these needs.

- a. Every law enforcement agency with 400 or more personnel should establish a unit (staffed with at least one employee) whose full-time responsibility is staff inspection. The size and organization of the inspection unit should correspond to the size of agency and the complexity of the inspections task;
- b. Every law enforcement agency with at least 50 but fewer than 400 personnel should, where necessary, establish an inspection unit or assign an employee whose full-time responsibility is staff inspection. If a full-time assignment is not justified, staff inspections should be assigned to an employee who performs related duties but is neither responsible to supervisors of the units being inspected nor responsible for the operations of such units.

II. Goal: Improve the Planning and Budgeting Process in Law Enforcement Agencies

II.A Objective: The chief administrator of each law enforcement agency must accept responsibility for developing an intra-agency planning capability.

Possible Strategies

II.A,1 Law Enforcement agencies should:

- a. Provide appropriate training for its planners,
- b. Select only qualified persons for the planning process, or
- c. Make arrangements with a commercial planner to furnish the planning capability.

II.A,2 The planning process must be predicated according to departmental size with:

- a. The chief administrator in the small department exercising the planning function,
- b. The chief administrator in the medium department delegating a portion of the planning function to his senior assistant;
- c. The chief administrator in the medium to large department developing a small planning section, and
- d. The chief administrator in the large department developing a large planning section.

II.B Objective: The chief administrator in each law enforcement agency must accept responsibility for developing an intra-agency budget planning capability.

Possible Strategies

II.B,1 Law Enforcement agencies should:

- a. Provide appropriate training for its budget planning,
- b. Select only qualified persons for the budget planning process, or
- c. Make arrangements with a commercial planner to furnish the budget planning capability.

II.B,2 The planning process must be predicated according to departmental size with:

- a. The chief administrator in the small department exercising the budget planning function,
- b. The chief administrator in the medium department delegating a portion of the budget planning function to his senior assistant,
- c. The chief administrator in the medium to large department developing a small budget planning section, and
- d. The chief administrator in the large department developing a large budget planning section.

II.C Objective: The chief administrator in each law enforcement agency must accept responsibility for developing an intra-agency budget control.

Possible Strategies

II.C,1 Law Enforcement agencies should:

- a. Provide appropriate training for its budget control.
- b. Select only qualified persons for the budget control process, or
- c. Make arrangements with a commercial planner to furnish the budget control capability.

II.C,2 The planning process must be predicated according to departmental size with:

- a. The chief administrator in the small department exercising the budget control function,
- b. The chief administrator in the medium department delegating a portion of the budget control function to his senior assistant,
- c. The chief administrator in the medium to large department developing a small budget control section, and
- d. The chief administrator in the large department developing a large budget control section.

III. Goal: Improve Law Enforcement-Community Relations to Promote Crime Prevention

III.A Objective: Every law enforcement agency and the community served should establish joint law enforcement-community crime prevention programs.

Possible Strategies

- III.A,1 Law enforcement officers should be permanently assigned to geographical areas where they will be responsible for development of crime prevention programs and for obtaining local participation in these programs. Officers should meet regularly with community groups to develop volunteer neighborhood security programs designed to increase the security of private residences and business establishments.
- III.A,2 Law enforcement agencies should conduct solicited and unsolicited inspections, seek enactment of local ordinances establishing minimum building security standards, and participate in the physical planning to reduce the crime potential of new buildings and developments.
- III.A,3 Units of local government should consider the establishment of improved street lighting programs in high crime areas. In the development of programs the needs and wishes of the community should be a determining factor from the outset and public officials should carefully evaluate the experience of other jurisdictions before initiating their own programs.
- III.A,4 All retail establishments should take immediate and effective measures to prevent shoplifting. Management personnel and merchants should evaluate successful techniques being used elsewhere and select those most appropriate. Contact should be maintained with law enforcement agencies to insure that preventive means are consistent with law enforcement practices and are consistent with the law.
- III.A,5 The state should enact legislation to require:
- a. Assigning of permanent state motor vehicle registration numbers to all motor vehicles; and
 - b. Adoption of the two plate system.
- III.A,6 Law enforcement agencies should seek the assistance of Bar Associations and educational institutions in promoting policies, implementing change, educating the public and evaluating the progress of crime prevention efforts.

III.B Objectives: Specific programs should be established to inform the public of the problems, needs and activities of law enforcement agencies.

Possible Strategies

III.B,1 Law enforcement agencies should establish programs (using law enforcement agency employees where practicable) to inform the public of the law enforcement agency's defined role. Public information programs should include:

- a. At least annual classroom presentations by uniformed officers at all elementary schools within the agencies jurisdiction;
- b. Officer participation in government and civics classes offered in evening adult schools and community colleges;
- c. Development of, and participation in, youth programs;
- d. Presentations to business and civic organizations;
- e. Publication of a statement of law enforcement's role, the agency's objectives and priorities in filling that role, and the agency's activities to implement its role;
- f. Publication of periodic statistical reports on crime, arrests and property loss due to crime; and
- g. Provisions for annual open house and other tours of law enforcement facilities and demonstrations of law enforcement equipment and tactics when appropriate to create greater public awareness of law enforcement's role.
- h. Police should undertake to keep the community informed of the problems with which they must deal and the complexities that are involved in dealing with them effectively. Police agencies should cooperate with those who seek an understanding of police operations by affording opportunities for interested citizens to acquaint themselves with police operations and by providing access to the accumulation of knowledge and experience that the police possess.

III.B,2 Law enforcement agencies should inquire into availability of public service resources from advertising and communications organizations to assist in developing agency support.

- a. Public understanding of the law enforcement function is heavily dependent upon the coverage given by mass media to the newsworthy events in which the police are involved. Newspaper, radio, and television reporters assigned to reporting on police activities should have a sufficiently thorough understanding of the complexities of the police function to enable them to cover such events (as well as other matters that now go unreported) in a manner that promotes the public's understanding of the police role.

III.B,3 With school board approval, law enforcement agencies with more than 500 employees should assign a full-time officer to each junior and senior high school within its jurisdiction to teach classes in the role of law enforcement and to serve as counselors. Course content should be developed in cooperation with school officials and should include discussion of the role of law enforcement, juvenile laws, and enforcement policies and practices relating to juveniles.

III.C. Objective: Every law enforcement chief executive should implement a community information program encouraging community cooperation in providing law enforcement services and preventing crime.

Possible Strategies

III.C,1 Every law enforcement agency should publicize efforts of criminal investigations when it does not compromise these investigative processes.

III.C,2 Every law enforcement agency should provide for a formal property filing system to assure security of evidence and other property in the custody of the agency.

III.C,3 Every law enforcement agency should establish drug abuse public awareness programs.

III.C,4 Every law enforcement agency should periodically release traffic safety information to the general public.

III.D. Objective: When personnel and resources permit, every law enforcement agency should develop an active police-community relation unit.

Possible Strategies

III.D,1 Programs for consideration should include:

- a. Neighborhood watch programs
- b. I.D. Programs
- c. Storefront operations
- d. Officer friendly programs
- e. Coffee Klatch programs
- f. Gun Safety programs
- g. Ride along programs
- h. Citizen Grievance committees
- i. Civic support programs (Scouting)
- j. Programs which address minority problems in the community.

III.E Objective: Every law enforcement agency should consider the development of or involvement in, a victim advocate program.

Possible Strategies

- III.E,1 Every law enforcement chief executive should acknowledge, through written policy, the responsibility of the law enforcement agency to provide support and assistance to all citizens victimized by crime.
- III.E,2 Every law enforcement chief executive should commit the law enforcement agency to cooperate with other criminal justice and community service agencies in determining the needs of victims and delivery of essential services.
- III.E,3 Every law enforcement chief executive should assist, whenever possible, in the development of a victims advocate program, staffed by volunteer civilian personnel to work with victims of crime.

- III.E,4 Each victim advocate, working with and through the police, should be familiar with social and behavioral science information and be prepared to provide the victim with information about the full range of social services existing within the community. The advocate should be able to provide counseling to the immediate emotional problems originating from the crime and assist in providing help for any physical needs.
- III.E,5 The advocate should familiarize himself with all federal, state, and local laws pertaining to victim compensation in order that information can be provided to victims who may need immediate funds.
- III.E,6 In general, the victim advocate program should be headquartered in the police department, but staffed by full time volunteers. The program should operate on a twenty-four (24) hour basis and be able to provide psychological assistance, physical assistance, and social services to victims of crime. Further, the program should work to assist the police and other professionals in the criminal justice process in assuring the victim that justice will be served and that their immediate needs will be met.

IV. Goal: Improve the Effectiveness of Law Enforcement Agencies in Combatting Crime

IV.A Objective: Provide 24-hour-a-day law enforcement services for all parts of the state.

Possible Strategies

- IV.A,1 Legislation should be enacted to enable local governments, law enforcement and criminal justice agencies to enter into interagency agreements to permit total or partial law enforcement services, permitting reasonable local control.
- IV.A,2 The state should develop (in cooperation with all law enforcement agencies) a statewide mutual aid plan for civil disorders, natural disasters or other unusual occurrences where manpower or material requirements might exceed the response capability of single agencies.
- IV.A,3 Law enforcement agencies that employ fewer than 10 sworn employees may consider consolidation for improved efficiency and effectiveness.
- IV.A,4 Law enforcement agencies should annually evaluate staff services in terms of adequacy and cost effectiveness to determine whether or not they would be more effective if they were combined with or secured from other agencies.
- IV.A,5 Law enforcement agencies should offer cost-effective staff services to other agencies.
- IV.A,6 Law enforcement agencies should identify those line operations that might be more effective if combined with like operations of other agencies; for example, multijurisdictional criminal activity.
- IV.A,7 Law enforcement chief executives should review the agency's organizational structure in conjunction with the annual budget preparation, ensure that organizational structure facilitates the rendering of direct assistance and service to the people by line elements and organize agency staff elements to this end.
- IV.A,8 Law enforcement chief executives should limit support units.

- IV.A,9 Law enforcement chief executives should establish only those levels of management necessary to provide adequate direction and control.
- IV.A,10 Law enforcement chief executives should define lines of authority and responsibility.
- IV.A,11 Law enforcement chief executives should not be encumbered by traditional principles of organization if agency goals can be best achieved by informal means.
- IV.A,12 Law enforcement chief executives should recommend to the governing authority's chief executive their agency's fundamental objectives and priorities and to implement them through discretionary allocation and control of agency resources.
- IV.A,13 Law enforcement chief executives should seek legislation granting them the authority to exercise discretion in allocating agency resources, advise the legislature of the practicality of enforcing existing criminal statutes, and advise the legislature of the practicality of proposed criminal statutes.

IV.B Objective: Each law enforcement chief executive should expand and define the role of the patrol officer.

Possible Strategies

- IV.B,1 Law enforcement chief executives should acknowledge that the patrol officer is the law enforcement agency's primary element for the delivery of services.
- IV.B,2 Every law enforcement chief executive should establish and disseminate to agency personnel and to the public, written policies, objectives and priorities governing the deliverance of patrol services which should:
 - a. Ensure that resources are concentrated on fundamental law enforcement duties.
 - b. Ensure that patrol officers are engaged in tasks that are related to law enforcement.
 - c. Require immediate response to incidents where there is:
 - 1. An immediate threat to the safety of an individual.
 - 2. A crime in progress.

3. A crime committed and the apprehension of the suspected offender is likely.
- d. Emphasize selective preventive patrol to reduce the opportunity for criminal activities in high crime areas.
- e. Allow the patrol officers to conduct the complete investigation of crimes which do not require extensive followup investigation and allow them to close the investigation of those crimes.
- f. Provide a procedure for accepting reports of criminal incidents which do not require a field investigation.
- g. Provide flexibility in the deployment of personnel to facilitate various approaches to individual community crime problems, and
- h. Encourage employee suggestions concerning changes in policies, procedures and other matters that affect the delivery of law enforcement services and reduction of crime.

IV.C Objective: Law enforcement communications systems should be developed that will provide rapid means for:

- a. Reporting crimes.
- b. Dispatching and coordinating law enforcement units.

Possible Strategies

- IV.C,1 Full-time telephone services with adequate trunk lines should be provided for all law enforcement agencies.
- IV.C,2 Each law enforcement agency should obtain universal emergency telephone service (a single number-911-for police, fire and ambulance service).
- IV.C,3 Incoming emergency calls should be answered in 30 seconds; other calls in 60 seconds.
- IV.C,4 All calls should be recorded.
- IV.C,5 Every law enforcement agency should have 24-hour two-way radio capabilities provided by themselves or another department.

IV.C,6 The elapsed time on emergency calls from the time the call is received to the time an officer starts to the call should not exceed 2 minutes. Nor should the time exceed 6 minutes on nonemergency calls.

IV.C,7 Law enforcement agencies should:

- a. Have access to state and federal information systems through a state funded teletype system.
- b. Regulate private central alarm companies.
- c. Have available special frequencies for statewide communication and mutual aid; and
- d. Have communication systems secure from attack and sabotage.

V. Goal: Increase Alternatives to Physical Arrest by Expanding Use of Citation* and Summons**

V.A Objective: Each local law enforcement and judicial agency should cooperatively formulate, in writing, procedures for the use of summonses, citations, and arrest warrants. These procedures should:

- a. Enumerate minor offenses for which a citation or summons is required.
- b. Require arrests or warrants to be accompanied by written reasons.
- c. Specify criteria for determining whether to issue a citation or request a summons.
- d. Provide training and specify the criteria necessary for law enforcement officers to make the proper decision concerning whether to arrest or issue a citation.
- e. Establish and utilize alternatives to arrest and pretrial detention.

Implementation Criteria

- a. Law enforcement officers must have the discretionary authority to issue a citation in lieu of arrest.
- b. A method must exist by which the law enforcement officer can quickly verify information which bears on the decision to arrest or issue a citation.
- c. Criminal penalties for willful failure to respond to a citation or summons must be provided.

Possible Strategies

V.A,1 All law enforcement and judicial officers should be authorized to issue a citation or summons.

- a. The law enforcement officer should have discretionary authority to issue a citation in lieu of arrest.

* Issued through use of law enforcement powers.

** Issued through use of judicial powers.

V.A,2 Physical arrest should be used when:

- a. Past or present conduct indicates the accused is dangerous;
- b. The accused person refuses to produce identification or sign a citation;
- c. The accused person has previously failed to appear in response to a citation or summons;
- d. The accused person has no ties to the jurisdiction;
- e. It is necessary to carry out additional investigation.

V.A,3 The citation and summons should:

- a. Inform the accused of his or her rights (including representation of counsel), the charge, date, time and location of trial or hearing and consequences of failure to appear;
- b. Contain a form advising the court of the name of accused's counsel or a desire to have court-appointed counsel;
- c. State that, in misdemeanor cases, all motions and an election of a nonjury trial must be filed within 7 days after appointment of counsel, with copies provided to the prosecutor; and
- d. Assure that counsel is provided within 24 hours after receipt of notice or 96 hours after arrest.

V.A,4 Law enforcement agencies should place special emphasis on expeditiously serving all outstanding arrest warrants, particularly those issued due to a defendant's failure to appear at court proceedings.

V.B Objective: Authorize lawful search with both citation and arrest so that an officer will not be forced to make an otherwise unnecessary arrest in order to legalize a search.

VI. Goal: Promote Specialization as a law Enforcement Tool

VI.A Objective: Every law enforcement agency should achieve maximum utilization from its sworn personnel by establishing priorities and guidelines designed to achieve the organizational goals.

Possible Strategies

VI.A,1 No law enforcement agency should establish specialization unless:

- a. The agency has in excess of 20 sworn personnel, or
- b. A particular crime problem develops which demands limited specialization.

VI.A,2 The State of Oklahoma should expand its capabilities to furnish specialized support to law enforcement by:

- a. Establishing investigations specialists throughout the state on a 1/25 ratio of sworn officers,
- b. Establishing sufficient regional crime laboratories throughout the state to support these specialists, and
- c. Subsidizing the larger agencies on the same dollar/manpower ratio.

VI.A,3 Specialization may occur in such areas as:

- a. Investigations other than preliminary,
- b. Evidence technicians,
- c. Fatal accidents,
- d. The planning and budgeting process, and
- e. Criminal intelligence.

VI.A,4 All specialization should be reviewed periodically to evaluate its effectiveness against dollar cost.

VII. Goal: Expand Professional Assistance and Improve the Quality of Support Services

VII.A Objective: The state should provide specialized services to assist local law enforcement agencies in criminal investigation. (Some of the services listed are currently supplied by the Oklahoma State Bureau of Investigation).

Possible Strategies

- VII.A,1 The state should provide, upon request of any local law enforcement agency in the state, specialists to assist in the investigation of crimes or other incidents that may require extensive or highly specialized investigative resources not otherwise available to the local agency.
- VII.A,2 The state should provide specialized training for all local evidence technicians.
- VII.A,3 The state should establish a consolidated criminal laboratory system composed of local, regional and state facilities capable of providing the most advanced forensic science services.
- VII.A,4 The state should establish a system for secure and efficient storage, classification, retrieval, and disposition of items of evidentiary or other value.
- VII.A,5 The state should ensure that every law enforcement agency has access to at least one laboratory facility capable of timely and efficient processing of physical evidence.
- VII.A,6 Each agency should ensure that its crime lab is part of the organizational entity that includes other support services and has a director familiar with management techniques who reports only to the chief executive (or staff authority who does).
- VII.A,7 Every crime lab director should design and implement a reporting system and establish close liaison with all other elements of the criminal justice system.

VII.A,8 The state should provide laboratory services at no cost to all law enforcement agencies.

VII.B Objective: Provide adequate professional support to law enforcement agencies.

VII.B,1 Every law enforcement agency should establish liaison with professionals in the areas of medicine, business, education, organization and management, behavioral sciences and the clergy to augment the skills of agency personnel.

VII.B,2 Every law enforcement agency should acquire legal assistance from its city or county attorney, prosecutor, state attorney general or law enforcement legal advisor to assure maximum effectiveness in its operations.

VII.B,3 Law enforcement agencies with 200 or more personnel should establish a legal unit with at least one attorney as a full-time legal advisor who will meet specified minimum qualifications.

VII.B,4 The state should provide, upon request of any law enforcement agency in the state, specialists to assist chief law enforcement executives in management techniques.

VIII. Goal: Upgrade Recruitment of Law Enforcement Personnel

VIII.A Objective: Oklahoma should enact legislation establishing a state commission (composed of representatives of local law enforcement and the public) empowered to develop and enforce mandatory state minimum standards for the selection of law enforcement officers.

Possible Strategies

VIII.A,1 Minimum recruitment standards should include:

- a. Age limitations;
- b. Physical health, strength and stature;
- c. Character;
- d. Psychological health;
- e. Education; and
- f. Factors such as education, language skills, and experience should overcome minor deficiencies in physical requirements.

VIII.A,2 Sufficient funds should be provided to enable the commission to employ a full-time executive director and staff large enough to carry out the basic duties of the commission.

VIII.A,3 All law enforcement agencies should employ a formal process for selection of qualified law enforcement applicants, including:

- a. A written job-related aptitude or ability test;
- b. An oral interview;
- c. A physical examination;
- d. A psychological examination; and
- e. An in-depth background investigation.

VIII.A,4 All law enforcement agencies should:

- a. Establish in-service weight and physical fitness standards;

- b. Conduct periodic in-service physical examinations;
and
- c. Provide programs and facilities to maintain physical fitness.

VIII.A,5 Law enforcement agencies should require as a condition of initial employment, the completion of 30 semester units at an accredited college or university. Applicants with a high school diploma, or its equivalent, should be employed under contracts requiring completion of the advanced educational requirements within 3 years. This requirement should be periodically raised to 60 semester units; 90 semester units; and finally to a bachelor's degree.

VIII.A,6 Law enforcement agencies should insure availability of qualified applicants by:

- a. Administering their own recruitment program;
- b. Aggressively recruiting applicants;
- c. Providing application and testing procedures at decentralized locations to facilitate applicant's access to the selection process; and
- d. Eliminating residence as a preemployment requirement.

VIII.A,7 Law enforcement agencies should periodically evaluate the effectiveness of recruitment methods.

VIII.A,8 Law enforcement agencies should actively compete with other employers in recruitment efforts at colleges, junior colleges and universities.

VIII.A,9 Law enforcement agencies should implement specialized recruitment programs when they do not have sufficient numbers of qualified applicants with appropriate college backgrounds by establishing permanent liaison with college and university personnel.

VIII.A,10 Law enforcement agencies and educational institutions should:

- a. Identify specific and detailed roles, tasks, and performance objectives for each law enforcement position and compare each with actual practice, establishing an acceptable level of expected behavior.
- b. Establish knowledge and skill requirements for all positions at the operational, support, and management levels and develop educational curricula and training programs on this basis. Recruitment and selection criteria should be developed that incorporate these requirements. Further, all law enforcement personnel should be required to possess the requisite knowledge and skills prior to being authorized to function independently. Those already employed must obtain them within a specified period of time as a condition of employment.

IX. Goal: - Upgrade the Training, Education, and Career Development of Law Enforcement Personnel

IX.A Objective: Statewide standards should be established for the training and education of law enforcement personnel.

Possible Strategies

- IX.A,1 Legislation should be enacted establishing a state commission to develop and administer state standards for the training of law enforcement personnel. This commission should:
- a. Develop minimum curriculum requirements for mandated training for law enforcement officers;
 - b. Certify training centers that meet training standards.
 - c. Establish minimum law enforcement instructor qualifications and certify instructors;
 - d. Inspect and evaluate law enforcement training programs to insure compliance with state standards;
 - e. Provide a consulting service for law enforcement training and education; and
 - f. Administer financial support for law enforcement training and education.

- IX.A,2 The state commission for law enforcement training should be composed of:
- a. One chief of police of a city having a population of less than 10,000;
 - b. One chief of police of a city having a population of more than 10,000 but less than 50,000;
 - c. One chief of police of a city having a population over 50,000;
 - d. One sheriff who performs the duties of a police officer;
 - e. One prosecuting attorney of the state;
 - f. One representative of criminal justice education;

- g. The attorney general of the state;
- h. One city manager; and
- i. One elected county or local government official.

IX.A,3 The state should require that every sworn law enforcement employee satisfactorily complete a minimum of 400 hours of basic law enforcement training. In addition to basic law enforcement subjects this training should include:

- (1) Instruction in law, psychology and sociology;
- (2) Assigned activities away from the training academy;
- (3) Remedial training; and
- (4) Additional training by the employing agency in its policies and procedures.

IX.A,4 Legislation should be enacted that mandates minimum basic training for every sworn law enforcement employee prior to the exercise of authority of his/her position.

IX.A,5 The state should make certified police training available to every sworn law enforcement employee, including a means for bringing mandated or other necessary training to employees of law enforcement agencies which find it impractical to send employees to law enforcement training academies.

IX.A,6 Legislation should be enacted to fund mandated training which would reimburse every law enforcement agency 100 percent of the salary or provide appropriate state financial incentives for every law enforcement employee attending training sessions.

IX.A,7 The state should pay all costs of law enforcement training programs that meet state mandated standards. Manpower costs may also be defrayed by establishing a manpower reserve capability.

- IX.A,8 Penalty provisions should be developed for those law enforcement agencies who do not meet officer certification requirements within the required time period.
- IX.A,9 Law enforcement agencies should establish cooperative training academies and the state should establish criminal justice training centers that include law enforcement training academies.
- a. All law enforcement training academies must meet minimum state standards in order to remain in operation.
- IX.A,10 State certification of a basic law enforcement training program should require a training center to operate for 12 months a year.
- IX.A,11 During the first year of employment, law enforcement agencies should provide full-time sworn law enforcement employees with additional formal training, coached field training and supervised field experience through methods that include:
- a. A minimum of 12 months of field training with a sworn law enforcement employee who has been certified as a field training officer.
- b. Documentation of employee performance in specific field experiences.
- c. Self-paced training material.
- d. Rotation among field assignments.
- e. Periodic meetings between field training officer, employee and academy staff.
- f. Two weeks additional training at an academy 6 months after basic training and again after 1 year employment.

IX.A,12 Specific training designed to aid in performance of duties should be provided to:

- a. Newly assigned employees; and
- b. Newly promoted employees.

IX.A,13 Training programs for law enforcement training academies and criminal justice training centers should:

- a. Be based upon an analysis of law enforcement tasks.
- b. Specify what is expected of the trainee to demonstrate achievement of the performance objective.
- c. Allow law enforcement chief executives of participating agencies to select electives.
- d. Meet mandated training standards and meet agency needs through:
 - (1) Regular evaluation by an advisory group;
 - (2) Field observations of user agency operations; and
 - (3) Critique of training programs after use by graduates.

IX.A,14 Every law enforcement training academy should:

- a. Develop quality control measures to insure that training performance objectives are met;
- b. Permit a maximum of 25 trainees in formal classroom training;
- c. Certify instructors;
- d. Distribute instructional assignments efficiently and continually update and annually review instructional materials; and
- e. Place primary emphasis on student-oriented instruction methods, including student participation, team teaching, use of audiovisual aids, preparatory training materials, and self-paced individualized instruction.

- IX.A,15 Every law enforcement agency should pursue the establishment of law enforcement training programs within academic institutions to upgrade its level of training and to provide incentives for further education.
- IX.A,16 All law enforcement training courses for college credit should be academically equivalent to courses that are part of the regular college curriculum.
- IX.A,17 Law enforcement agencies and education agencies should:
- a. Identify specific and detailed roles, tasks and performance objectives for each law enforcement position.
 - b. Establish skill requirements for all positions at the operational support and management levels.
 - c. Develop techniques and plans for evaluation of education and training programs as they relate to on-the-job performance.
 - d. Develop techniques for continual assessment of education and training needs.
- IX.A,19 Every law enforcement agency should support training programs that promote understanding of and cooperation with other criminal justice agencies through the development of interdisciplinary training. These programs:
- a. Should provide for the instruction of agency personnel in the functions of all criminal justice agencies in order to place the law enforcement role in proper perspective;
 - b. Should encourage, where appropriate, the participation of other criminal justice agencies in law enforcement training; and
 - c. Should encourage, where appropriate, agency participation in training given to members of other criminal agencies.

IX.B Objective: Establish formal in-service training programs for law enforcement personnel.

Possible Strategies

- IX.B,1 Every law enforcement agency should provide 40 hours of formal in-service training annually to sworn law enforcement employees including employees of supervisory ranks.
- IX.B,2 Major law enforcement agencies should provide for decentralized in-service training within each law enforcement station including:
- a. A minimum of one law enforcement employee who is a state certified training instructor.
 - b. Audiovisual equipment compatible with training materials available to the law enforcement agency.
 - c. Home study materials available to all law enforcement employees.
 - d. Periodic one-day on-duty training programs directed at the specific needs of law enforcement employees.
- IX.B,3 Information presented during annual and routine training should be included, in promotional examinations.
- IX.B,4 The state should encourage law enforcement agencies to participate in specialized training offered through academic institutions, government agencies, and professional and business organizations.
- IX.B,5 Every law enforcement agency should allow all sworn personnel to participate in at least 40 hours of in-house or out-of-house classroom training directed toward the development of personal, vocational, conceptual or managerial skills. This program should be available to law enforcement employees currently on active duty and receiving full pay.

IX.C Objective: Provide specialized law enforcement training wherever needed.

Possible Strategies

IX.C,1 Every law enforcement chief executive should establish formal training programs to deal with unusual occurrences including administration, strategy, tactics, resources and operating procedures.

IX.C,2 The state should provide specialized training for local evidence technicians on a centralized or regional basis in order to achieve a statewide level of proficiency in the collection of physical evidence.

IX.C,3 Every law enforcement agency should develop programs that bring officers together with employees of other criminal justice system agencies and the public to discuss the role of law enforcement and public attitudes toward that role.

IX.D. Objective: Establish educational incentive programs for all law enforcement personnel.

Possible Strategies

IX.D,1 Classes should be scheduled at convenient times and should be located at nearby colleges and universities so that law enforcement officers can attend.

IX.D,2 When possible, duty shift assignments should be such that personnel are available to attend local colleges.

IX.D,3 Financial assistance to defray the expense of books, materials, tuition and other reasonable expenses should be provided to a law enforcement officer when:

- a. The courses enrolled in will increase directly or indirectly, his/her value to law enforcement service; and
- b. His/her academic performance is satisfactory.

IX.D,4 Provide incentive pay increases for the attainment of specified levels of academic achievement in addition to any other salary incentive. The incentive increases should be at least 2.5 percent of the employee's current salary for each 30 semester units of college work related to law enforcement employment. The maximum allowable salary bonus should be no greater than 10 percent of salary, 10 percent increment for bacca laureate and 5 percent for advanced degree.

IX.E Objective: Establish formal career development programs in all law enforcement agencies.

Possible Strategies

- IX.E,1 Every law enforcement agency should provide career paths that allow sworn personnel to progress not only as managers but as generalists and specialists as well. Nonmanagerial career paths should provide the incentives necessary to retain qualified personnel and should include progressive career steps. Progression to the end of a nonmanagerial career path should bring a salary greather than that for the first level of supervision. Managerial career paths should also incorporate progressive career steps.
- IX.E,2 Promotional and career paths for crime laboratory personnel should be developed and should result in salaries at least equal to those employed in equivalent civilian laboratories.
- IX.E,3 Law enforcement agencies should establish a central personnel information system to facilitate management and decisionmaking in assignment, promotion, advancement and the identification and selection of individuals for participation in personnel development programs.
- IX.E,4 Every local government should expand its classification and pay system to provide greater advancement opportunities within patrol rank. The system should provide:
- a. Multiple pay grades within the basic rank;
 - b. Opportunity for advancement within the basic rank to permit equality between patrol officers and investigators;

c. Parity in top salary step between patrol officers and nonsupervisory officers assigned to other operational functions; and

d. Proficiency pay for personnel.

IX.E,5 Law enforcement agencies should adopt a policy of promoting to higher ranks and advancing to higher paygrades only those personnel who successfully demonstrate their ability to assume the responsibilities and perform the duties of advanced positions.

IX.E,6 Law enforcement agencies should annually evaluate all personnel in order to identify their individual potential including assessment of past job performance, oral interviews, and job-related mental ability tests.

IX.E,7 Law enforcement agencies should offer comprehensive and individualized programs of education, training and experience designed to develop employee potential.

IX.E,8 Law enforcement agencies should allow all persons to compete for promotion and advancement regardless of whether the employee chooses to pursue a course of self-development rather than participate in the agency-sponsored development programs.

IX.E,9 Law enforcement agencies should:

a. Allow all sworn personnel to participate voluntarily in at least 40 consecutive hours of formal personal development activity annually, while on duty, and at full pay. Such activity may include:

(1) Forty consecutive hours of in-house or out-of-house classroom training directed toward the development of personal, vocational, conceptual or managerial skills;

(2) Internship of at least 40 consecutive hours with other organizations which would contribute significantly to the professional development of the intern;

(3) Assumption of the position, responsibility and authority of an immediate superior for a minimum of 40 consecutive hours;

- (4) Participation in administrative and operations research and reporting (when it is not ordinarily the officer's responsibility).
- (5) Short term leaves of absence with pay to allow achievement of academic objectives; and
- (6) Service as a member of or an advisor to management committees and boards.

b. Develop a formal system for personnel rotation designed to develop generalist, specialist and managerial resources.

- IX.E,10 Every law enforcement agency should periodically evaluate its personnel in terms of their potential to fill positions of greater responsibility.
- IX.E,11 Law enforcement agencies should develop job-related criteria for promotion and advancement.
- IX.E,12 Law enforcement agencies should disallow arbitrary awarding of bonus points for experience and achievement not related to the duties of the position for which the individual is being considered (i.e., bonus points for seniority, military service, or heroism).
- IX.E,13 A 1-year probation period should be instituted in which law enforcement employees are required to demonstrate ability to assume responsibility before they are promoted.
- IX.E,14 Every law enforcement chief executive should assume administrative control of the promotion and advancement system to insure that only the best qualified personnel are promoted or advanced.
- IX.E,15 The law enforcement chief executive should permit hiring of outside personnel for lateral entry at any level from outside the agency when qualified personnel are not available within the agency.

X. Goal: Establish Fair and Competitive Salaries and Benefits for All Law Enforcement Personnel

X.A Objective: Establish a formal salary structure based on systematic classification of all law enforcement positions.

Possible Strategies

- X.A,1 The state should set a competitive minimum entry-level salary for all state and local law enforcement officers and reimburse the employing agency for at least 25 percent of the guaranteed salary.
- X.A,2 Local governments should establish or maintain a law enforcement salary structure separate and distinct from parity considerations for other government employees.
- X.A,3 Local governments should establish an entry-level sworn law enforcement salary that enables agencies to compete successfully with other employers.
- X.A,4 Local governments should establish a salary review procedure to insure automatic annual adjustment of law enforcement salaries to reflect prevailing wages in the local economy.
- X.A,5 Every law enforcement agency should adopt three levels of classification for sworn personnel to permit mobility within each classification and salary advancement without promotion. The classifications should include:
 - a. Patrol officer-investigator for generalist and specialist at basic rank level;
 - b. Supervisor-manager for supervisory and management personnel; and
 - c. Command-staff for executives and administrators.

X.B Objective: Establish a uniform system of benefits for law enforcement personnel.

Possible Strategies

- X.B,1 Every law enforcement agency should establish a health care program that provides for the particular health care needs of its employees and their immediate families. The program should provide for:
- a. Surgery and related services.
 - b. Diagnostic services
 - c. Emergency care.
 - d. Continuing medical care from chronic physical illness, mental disorders, drug addiction, alcoholism and childbirth.
 - e. Radiation, inhalation and physical therapy.
 - f. Nursing care.
 - g. Prescribed medication and medical appliances.
 - h. Complete dental and vision care.
 - i. Hospital room.
 - j. Income protection.
- X.B,2 Every law enforcement agency should insure that officers and their beneficiaries are allowed to continue as members of the health care program at the retiree's own expense after the officer's retirement and that benefit and cost changes after retirement are reasonably adjusted.
- X.B,3 The state should provide an actuarially sound state-wide law enforcement retirement system for all sworn law enforcement personnel within the state.
- X.B,4 Local law enforcement agency membership in the state retirement system should be voluntary.
- X.B,5 Reciprocal agreements should be established between independent, local, state and interstate law enforcement pension systems to allow a law enforcement officer to accept any law enforcement position available and still retain his/her accrued retirement benefits.

XI. Goal: Improve Law Enforcement Equipment

XI.A Objective: Every law enforcement officer should be provided with adequate firearms and auxiliary equipment.

Possible Strategies

- XI.A,1 Each law enforcement agency, with guidance from its chief executive, should have written specifications for firearms and auxiliary equipment to be carried by law enforcement personnel, whether on or off duty. Specifications should include the type caliber, barrel length, finish, and style of sidearms, and the specific type of ammunition.
- XI.A,2 Firearms and auxiliary equipment (especially ammunition, handcuffs and keys) should be interchangeable among officers.
- XI.A,3 Each automobile patrol unit should be equipped with a shotgun with locking receptacle and appropriate ammunition.
- XI.A,4 All firearms should undergo daily maintenance and conformity inspections.
- XI.A,5 User competency should be insured by requiring each officer to maintain on a quarterly basis, a minimum qualifying score in firearms practice.

XI.B Objective: Every law enforcement officer should be provided with adequate uniforms.

Possible Strategies

- XI.B,1 Each law enforcement chief executive should develop written specifications for the apparel worn by uniformed officers within the agency while on duty. The specifications should:
 - a. Take into account seasonal changes;
 - b. Readily identify the wearer by name and agency;
and
 - c. Plainly identify the person as a public law enforcement officer.

- XI.B,2 Daily inspection of uniforms should be conducted in order to insure conformity to specifications.
 - XI.B,3 Uniforms that are damaged during the performance of duty and uniforms that are unserviceable after normal wear should be replaced by the agency.
 - XI.B,4 Legislation should be enacted establishing the color and style of uniforms and badges worn by private patrol persons or security guards.
 - XI.B,5 Every law enforcement agency should acquire the funds necessary to provide and maintain a full uniform and equipment complement for every law enforcement officer.
- XI.C Objective: Every law enforcement agency should be provided with adequate transportation equipment.

Possible Strategies

- XI.C,1 Transportation equipment purchase (including both ground and air) should be made based on cost effectiveness considerations and annual reviews of agency needs.
- XI.C,2 Fleet safety should be insured not only through vehicle maintenance but also through continuing driver's safety education for vehicle operators.
- XI.C,3 Peer group involvement in classification of employee accidents and recognition for safe driving should be a part of fleet safety programs.
- XI.C,4 Procedures should be established for problem driver detection and retraining and for daily employee vehicle inspection prior to use.

XII. Goal: Establish Formal Complaint Review Procedures

XII.A Objective: Every law enforcement agency should develop procedures for the investigation of citizen's complaints and establish disciplinary procedures to minimize the potential for employee misconduct.

Possible Strategies

- XII.A,1 Every law enforcement agency should establish written policies and procedures for the administration of internal discipline and make public a summary of those procedures.
- XII.A,2 The chief executive of every law enforcement agency should have ultimate responsibility for the administration of internal discipline.
- XII.A,3 New law enforcement employees should be given copies of written rules for conduct and appearance, including specifics on "conduct unbecoming an officer."
- XII.A,4 Incorporate policies, procedures and rules governing employee conduct in training programs and promotional examinations.
- XII.A,5 A person making a complaint should receive verification that the complaint is being processed by the police agency. This receipt should contain a description of the investigation process and appeal provisions.
- XII.A,6 The complainant should be notified of final disposition of complaint.
- XII.A,7 Develop procedures to insure that all complaints, internal and external, are permanently recorded and made available to the chief executive without delay.
- XII.A,8 When agency size and resources permit, a specialized unit should be formed to conduct investigations of complaints. The unit should be responsible to the agency chief executive and should:
 - a. Have a size consistent with the demands of the workload.
 - b. Employ a strict rotation policy limiting assignments to 18 months.

- c. Be deployed during the hours consistent with complaint incidence, public convenience and agency needs.

- XII.A,9 Law enforcement agencies should obtain the assistance of prosecuting agencies during the investigations of criminal allegations when the agency executive concludes that the public interest would best be served by such participation.
- XII.A,10 All personnel assigned to investigate internal discipline complaints should be trained and provided with written investigative procedures.
- XII.A,11 Law enforcement agencies should provide all employees at time of employment and prior to an investigation with a written statement of their duties and rights when they are the subject of an internal discipline investigation.
- XII.A,12 The law enforcement chief executive should have legal authority to relieve employees from their duties during an internal investigation when it is in the best interests of the public and the agency.
- XII.A,13 The polygraph should be administered to employees only with the express approval of the police chief executive.
- XII.A,14 Internal discipline investigations should be concluded within 30 days of receipt of complaint unless extension is granted by the law enforcement chief executive. The complainant and accused employee should be notified of the delay.
- XII.A,15 The law enforcement chief executive should have ultimate authority in the adjudication of internal discipline complaints, subject only to court appeal or through appeal to an established civil service body.
- XII.A,16 Only sustained investigation reports should become a part of the accused employee's personnel folder.

XII.A,17 Every law enforcement chief executive should implement positive programs and techniques to prevent employee misconduct and to encourage self-discipline, including:

- a. Analyses of causes of employee misconduct.
- b. Training in avoidance of misconduct incidents.
- c. Referral to professionals.
- d. Application of peer group influence.

XIII. Goal: Improve Quality and Assure Sufficient Number of Staff

XIII.A Objective: Legislation should be enacted which establishes uniform procedures governing employee organizations, collective bargaining, and interpersonal relations.

Possible Strategies

XIII.A,1 Legislation should be enacted allowing every law enforcement chief executive to:

- a. Actively participate in seeking personnel benefits for all law enforcement employees.
- b. Provide an internal two-way communication network to facilitate exchange of information within the agency and to provide feedback.
- c. Develop methods to obtain advisory information from law enforcement employees to assist in decision making.
- d. Provide a grievance procedure for law enforcement employees.
- e. Utilize employee specialists.
- f. Recognize that law enforcement employees have a right to engage in political and other activities protected by the First Amendment.
- g. Acknowledge the right of law enforcement employees to join or not join employee organizations and give appropriate recognition to these organizations.

XIII.A,2 Law enforcement employee organizations should formalize written policies, rules and procedures that will protect the rights of all members and insure that they will remain responsible to their oath of office.

XIII.A,3 Every law enforcement employee organization should place in writing the scope of its activities to inform all members of its programs and its representatives' activities.

- XIII.A,4 Every law enforcement employee organization should adhere to rules and procedures including:
- a. Provisions to protect members in relations with law enforcement employee organizations.
 - b. Standards and safeguards for periodic elections.
 - c. Responsibilities of the organization's officers.
 - d. Fiscal integrity including financial reports.
 - e. Disclosure of financial reports to members, regulating agencies, and the public.
 - f. Acknowledgement of responsibility to the governmental entity legally charged with regulation of such employee organizations.
- XIII.A,5 Every law enforcement agency and employee should be allowed by legislation to engage in collective negotiations in arriving at terms and conditions of employment. Such legislation should give equal protection for both parties and should include:
- a. Provisions for local jurisdictions to enact specific rules for the negotiation process;
 - b. Procedures to prevent either party from circumventing the collective negotiation process;
 - c. Law enforcement agency retention of certain unrestricted management rights to ensure proper direction and control in delivering police services;
 - d. Provisions to prohibit concerted work stoppages or job actions; and
 - e. Procedures that require adherence to collective negotiation legislation by all parties.
- XIII.A,6 The law enforcement chief executive or a designated representative should be present during all collective negotiations and be allowed to protect the interests of the community, agency and all law enforcement employees.

XIII.A,7 All law enforcement employees should receive training in:

- a. General knowledge of the management-employee relations process;
- b. Specific instructions to persons who represent the law enforcement agency in negotiations; and
- c. Specific instructions to enable every supervisory employee to perform his duties under any collective negotiation agreement.

XIII.A,8 Every law enforcement chief executive should establish administrative procedures to facilitate the law enforcement agency's operation under any collective negotiation agreement.

XIII.A,9 Enact legislation that prohibits law enforcement employees from participating in a work stoppage or job action.

XIII.A,10 Every law enforcement agency should establish a formal written policy prohibiting employees from engaging in any concerted work stoppage or job action.

XIII.A,11 Internal disciplinary actions used by law enforcement chief executives against employees who participate in concerted work stoppages and job actions could include actions against:

- a. All employees for violating legislation and policy;
- b. Specific individuals whose conduct warrants action;
- c. Instigators or leaders of activity; or
- d. No employees. (However criminal or civil action, as opposed to internal disciplinary action might be undertaken.)

XIII.B Objective: Eliminate discrimination in the employment of law enforcement personnel.

Possible Strategies

- XIII.B,1 Every law enforcement agency should engage in positive efforts to employ ethnic minority group members, especially when there is a substantial minority population within the jurisdiction.
- XIII.B,2 In establishing selection standards for minority recruitment, law enforcement agencies should take into consideration special abilities such as:
- a. Ability to speak a foreign language.
 - b. Strength and agility.
 - c. Any other compensating factor.
- XIII.B,3 In order to increase minority recruitment, special training programs, more intensive and comprehensive than standard programs should be designed to replace educational and previous experience requirements.
- XIII.B,4 Every law enforcement agency should:
- a. Institute selection procedures to facilitate the employment of women.
 - b. Insure that recruitment, selection, training and salary neither favor nor discriminate against women.
 - c. Remove all barriers to advancement for women, allowing each individual to attain a position classification commensurate with her particular degree of experience, skill and ability.
 - d. Abolish separate organizational entities composed of women except those which are identified by function or objective such as a female jail facility.

CRIMINAL JUSTICE INFORMATION SYSTEMS

Second Revision

This revision of the Goals, Objectives and Strategies for Criminal Justice Information Systems in Oklahoma is the result of Committee work conducted over the period 8/26/76 through 10/19/76.

CRIMINAL JUSTICE INFORMATION SYSTEMS
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I. Goal: Establish a Network of Computerized Information Systems Linking All Components of the Criminal Justice System

- I. A. Objective: The state, through legislation, should assign responsibility for activities related to the development of a criminal justice information system.

Possible Strategies

- I.A,1 The agency responsible for the development of a criminal justice information system should be a centralized state planning and analysis unit which will:
- a. Coordinate the development of an integrated network of information systems in the state.
 - b. Satisfy needs of management decisionmaking for state, local and federal criminal justice agencies.
 - c. Prepare a master plan for the development of an integrated network of criminal justice information systems, including the production of data needed for statistical purposes, specifying organizational roles and timetables.
 - d. Provide technical assistance and training to all jurisdiction levels and agencies in data collection methods, system concept development and related areas.
 - e. Arrange for system audit and inspection to insure the maintenance of maximum quality in each operating system.
- I.A,2 The criminal justice information system should specify user groups.
- I.A,3 User groups should have considerable influence over:
- a. The operation of the system.
 - b. The system's continuing development.
 - c. Modifications to the system.

- I.A,4 Statutory authority should be established for planning, developing and operating state level information and statistical systems.
- I.A,5 The state should enact legislation requiring mandatory reporting of data necessary to operate authorized systems.
- I.A,6 Statutes should be enacted to establish security and confidentiality controls on all systems.
- I.A,7 The state should establish a plan for the development of information and statistical systems at both state and local levels. This plan should be funded by the state and should:
- a. Specify system objectives and services.
 - b. Indicate the appropriate funding source for the development and operation of the various systems.
 - c. Provide mechanisms for obtaining user acceptance and involvement.
- I.A,8 Individual systems to be funded by federal or state grants should be designed consistent with standards relating to the state criminal justice information system.
- I.A,9 The state system should make available, especially to law enforcement agencies, almost instant access to "wanted" files and to gun and auto registration files.
- I.A,10 The state system should give all criminal justice agencies access to "criminal case histories" contained in computerized central file of all persons who enter the criminal justice system.
- I.A,11 The law enforcement agency should begin the file and it should be expanded as a person moves to other criminal justice agencies.
- I.A,12 Criminal case histories should be developed so that a broad, new research and statistics capacity will be possible.

I.A,13 The system, called "Offender-Based Transaction Statistics," would eventually extend or replace Uniform Crime Reports and make crime-oriented research much easier to accomplish.

I.A,14 Data should be available to criminal justice agencies of other states and to federal agencies when there is legitimate need.

I.B Objective: Every jurisdiction should have access to a local criminal justice information system which supports the needs of criminal justice agencies.

I.B,1 Local criminal justice information systems should:

- a. Contain information concerning every person arrested within that locality from the time of arrest until no further criminal justice procedures can be expected concerning that arrest.
- b. Contain the present criminal justice status for each individual under the cognizance of criminal justice agencies.
- c. Provide prompt response to inquiries from criminal justice agencies which have furnished data base input.
- d. Provide investigative field support to law enforcement agencies within its geographic area of service.
- e. Provide a master name index of persons who have previous criminal case histories/convictions to the criminal justice agencies within its jurisdiction.
- f. Provide to proper state agencies all information concerning postarrest offender statistical data as required.
- g. Provide to proper state agencies all postarrest data necessary to maintain a current criminal history on persons arrested and processed within a locality.

- h. Provide, if automated, telecommunications interface (direct connection between computers) between the state criminal justice information system and local criminal justice agencies within its jurisdiction.

I.B,2 Where it is not economically feasible to establish a local criminal justice information system, criminal justice information services should be provided through consolidation of adjacent units at the same organizational level or by the establishment of a "surrogate" at the next higher organization level.

I.C. Objective: Every component agency of the criminal justice system should be served by an information agency which supports its intraagency needs. It should:

- a. Provide information to assist in the internal allocation of personnel and resources.
- b. Provide information to assist in the scheduling of events, cases and transactions within the agency.
- c. Provide data required for the proper functioning of other systems as appropriate.
- d. Provide an interface between the local criminal justice information system and individual users within its own agency.
- e. Create and provide access to files needed by users that are not provided by other information systems.

Possible Strategies

I.C,1 Every law enforcement agency should establish procedures that will ensure simple and efficient reporting of criminal activity, assist in criminal investigations and provide complete information to other components of the criminal justice system.

I.C,2 Each law enforcement agency should establish a central records file and contribute information to the state information system.

- I.C,3 Each agency should have the ability to retrieve information from its own and from the state's system.
- I.C,4 The interagency exchange of information should be facilitated by providing each agency with access to law enforcement telecommunication networks.
- I.C,5 Law enforcement information systems should include:
- a. Dispatch information (which should be used as basis for "audit trail" on the quality of reports on crime, incidents and arrest).
 - b. Event information including time, location, characteristics and consequences of incidents and crimes.
 - c. Dossier file including fingerprints, photographs, arrest and disposition information.
 - d. Case information including offender characteristics, type of arrest, witnesses and evidence.
 - e. Information for reports including Uniform Crime Reports.
 - f. Written procedures on reporting should be developed to guide officers.
 - g. Reporting of arrest and other data to the state system should be required by law.
 - h. Patrol or investigation support data not supplied by external systems. Rapid access to National Guard Information Center and State System.
 - i. Crime analysis capabilities bases where practical on geocoding (coding according to location).
 - j. Information on available manpower.
 - k. Telecommunication interface with state and other local agencies.

- I.C,6 Court information systems, serving the judge, prosecutor, defense attorney and probation officer (for his/her role in preparing presentence reports), should include:
- a. Defendant background data (information relative to appointment of counsel and data that might be determined by a bail agency interview).
 - b. Current individual case listings.
 - c. Caseflow data for calendar and court management including:
 - 1. Disposition rates.
 - 2. Attorney and witness schedules.
 - 3. Judge and courtroom schedules.
 - 4. Case status and complexity.
 - 5. Defendant status (confined, on bail, etc.).
 - 6. Potential case consolidations and, to aid the prosecutor, case priority, selection and rating criteria for witnesses and evidence.
 - d. Jury selection.
 - e. Computerized production of transcripts where practiced.
 - f. Participation in state transaction-based statistics systems for purposes of evaluation.
 - g. Automated legal research where relevant statistics and decisions are computerized.

- I.D,7 Corrections information systems should:
- a. Provide complete and detailed criminal case histories on each offender.
 - b. Update offender's file regularly with his/her correctional history.

- c. Conduct program analyses based on large numbers of case histories to determine what programs contribute to the rehabilitation of offenders.
 - d. The system should be uniform, statewide and flexible to permit expansion.
- I.C,8 This system should collect, store, analyze and display information for planning, operational control, offender tracking, and program review for all state and county correctional programs and agencies. ,
- I.C,9 The State Department of Corrections should be responsible for maintaining the security and privacy of records and information within its data base and should allow data processing of its records only under its guidance and administrative authority.
- I.C,10 The correctional system should initiate appropriate training for all personnel employed in the information area.
- I.C,11 When size permits, all user agencies should have an information and statistics section capable of producing periodic reports and analyzing and interpreting policy and decisionmaking.
- I.C,12 The correctional information systems data base should be designed to satisfy requirements for:
- a. Information-statistics function of offender accounting, administrative decisionmaking, and ongoing research;
 - b. Easy compilation of an annual statistical report;
 - c. Data required at decision points;
 - d. Meeting the needs of other criminal justice information systems for correctional data;
 - e. Accomodating expansion of the data base; and
 - f. Rapid response to inquires.
- I.C,13 The performance or system should be evaluated on two levels:

- a. Overall performance or system review as measured recidivism; and
- b. Program reviews that emphasize measurement of achievement of short-range goals.

I.D. Objective: Regulations should be developed to:

- a. Protect an individual's right to privacy.
- b. Control access to the criminal justice information systems.
- c. Provide for keeping a record of authorization for those making information requests.

Possible Strategies

- I.D,1 A state security and privacy council should be established with the authority to adopt and administer security and privacy standards.
- I.D,2 The state security and privacy council should be a separate and distinct entity with autonomous authority.
- I.D,3 The information put into the system should be limited to absolutely essential data. An item of data should be collected and stored only if potential benefits from its use outweigh potential injury to privacy.
- I.D,4 The state council should adopt regulations to strictly limit system access to agencies demonstrating a need and a right to know the data.
- I.D,5 Data should be divided into categories reflecting degrees of sensitivity (e.g., highly sensitive, confidential), and provisions should be made for security within each category.
- I.D,6 Each system should have internal procedures to prevent accidental loss of data and, most importantly, to prevent unauthorized access to information.
- I.D,7 An individual should have the right to receive criminal justice information relating to himself, excluding that in intelligence files.

I.D,8 Researchers should have a right to use confidential information.

I.E. Objective: Requirements should be established to insure that the development of information systems is standardized.

Possible Strategies

- I.E,1 Identical data elements should be used to satisfy requirements for similar information to be developed from either an "offender-based transaction statistics" or "computerized criminal history" system over all areas of the criminal justice system.
- I.E,2 Advisory committees determining the designs of both systems should have some membership in common to assure data element compatibility.
- I.E,3 To establish appropriate communications among local, state and federal criminal justice agencies, the data elements for identification, offense category and disposition on each offender shall be consistent with specifications prescribed in the National Crime Information Center (NCIC) operating manual, or if not covered in NCIC, the Project SEARCH Implementing State-wide Criminal Justice Statistics Systems--The Model and Implementation Environment Technical Report No. 4 and the National Criminal Justice Information and Statistics Service Comprehensive Data System guidelines.
- I.E,4 The collection of data to satisfy both the Offender-Based Transaction Statistics and Computerized Criminal History Systems should be gathered from criminal justice agencies in a single collection.
- I.E,5 Files created as data basis for Offender-Based Transaction Statistics and Computerized Criminal History Systems, because of their common data elements and their common data input from operating agencies, should be developed simultaneously and maintained as much as possible within a single activity. Juvenile record information should not be entered into adult criminal history files.
- I.E,6 Collection of criminal justice information concerning individuals should be triggered only by a formal event

in the criminal justice process and contain only verifiable data.

- I.E,7 Agencies maintaining data or files on persons designated as offenders should establish methods and procedures to insure the completeness and accuracy of data, including the following:
- a. Every item of information should be checked for accuracy and completeness before entry into the system.
 - b. A system of verification and audit should be instituted. Where files are found to be inaccurate or incomplete, all persons who have received misleading information should be immediately notified of the corrections.
 - c. Files should be reviewed periodically. All items of information that are likely to be unreliable should be purged. Every copy of information concerning individuals convicted of a serious crime should be purged from active files 10 years after the date of release from supervision, provided no subsequent criminal activity has occurred.
- I.E,8 All criminal offender record information should be stored in a computer dedicated solely to and controlled by criminal justice agencies.
- I.E,9 Where existing limitations temporarily prevent the use of a solely dedicated computer, the portion of the computer used by the criminal justice system should be under the management control of the criminal justice agency.
- I.E,10 Under no circumstances should a criminal justice manual or computerized files be linked to or aggregated with noncriminal files for the purpose of amassing information about a specific individual or specific group of individuals.

- I.E,11 The establishment of a computer interface with other criminal justice information systems should constitute the acceptance of responsibility for a control unit for those agencies served by the interface.
- I.E,12 Unavailability of the information system due to maintenance or breakdown should be kept to a minimum.
- I.E,13 Every agency contemplating the implementation of computerized information systems should insure that specific programming language requirements are established prior to the initiation of any programming effort.
- I.E,14 During the design phase of the development of information and statistics systems, each agency must provide sufficient resources to assure adequate teleprocessing capability to satisfy the intra- and inter-agency communications requirements.
- I.E,15 Standards for teleprocessing should not be set until local agencies assess their own needs.
- I.E,16 Preimplementation monitoring should consist of a continuous review, analysis, and assessment of available documentation and milestone achievement covering system analysis, design, development, and initial steps leading toward actual implementation. All items should be monitored relative to:
- a. Costs (both dollars and man-hours);
 - b. Milestone accomplishment (time); and
 - c. Quality (response time, scope, sophistication, and accuracy).
- I.E,17 A key consideration in implementing systems is providing maximum assurance that the eventual operating system meets the design objectives. Implementation monitoring should employ a specific series of quantifiable measuring instruments that report on the cost and performance of component parts and the total system. The cost/performance monitoring of an operating or recently developed system should focus on:

- a. Man-machine interaction;
- b. Software (computer and/or manual process); and
- c. Hardware (computer and/or nonautomated equipment).

I.E,18 Impact evaluation (the ability of the system to handle the traffic) should begin with an investigation of system outputs at the component level. Once individual components have been assessed as to their capability for supporting users, impact analyses should be conducted for larger aggregations made up first of multiple and then total components. In general, an impact evaluation should determine:

- a. What information, communication and decision processes in a criminal justice agency exhibit the greatest positive and negative impact due to the information and statistics system; and
- b. What relationships exist between specific features of the system and the benefits to the user.

II. Goal: Improve Quality and Assure Sufficient Number of Staff

II.A. Objective: Adopt administrative structures and procedures that will optimize personnel performance.

Possible Strategies

- II.A,1 Encourage managerial attitudes and provide administrative procedures permitting each employee to have more say about what he/she does.
- II.A,2 Develop a management philosophy encouraging delegation of work-related authority to the employee level and acceptance of employee decisions.
- II.A,3 Provide administrative flexibility to organize employees into teams or groups (individuals involved in small working units become concerned with helping their teammates and achieving goals).
- II.A,4 Eliminate distinctions between employee categories; shift organizational emphasis from an authority or status orientation to a goal orientation.
- II.A,5 Adopt a program of participatory management in which managers and staff share in identifying problems, finding mutually agreeable solutions, setting goals and objectives, defining new roles for participants and evaluation. The program should include the following:
 - a. Training and development sessions for new roles in organizational development;
 - b. An ongoing evaluation process;
 - c. A procedure for the participation of other elements of the criminal justice system in planning for each component part of the system; and
 - d. A change of manpower utilization in keeping with new management and professional concepts.
- II.A,6 Each agency should have minimum staffing for analysis and interpretation of information. Such capability should range from full-time professional information managers in larger organizations to part-time assignments in small units.

II.A,7 State information system managers should train and provide assistance to agencies.

II.B. Objective: Provide specialized training wherever needed.

Possible Strategies

II.B,1 All persons involved in the direct operation of a criminal justice information system should be required to attend approved courses of instruction concerning the system's proper use and control. Instruction may be offered by any agency or facility, provided that curriculum, materials, and instructors' qualifications have been reviewed and approved by the proposed security and privacy council or other appropriate body.

II.C. Objective: Set standards for the recruitment and selection of personnel working with criminal justice information.

Possible Strategies

II.C,1 Identify specific and detailed roles, tasks, and performance objectives for each position and compare each with actual practice, establishing an acceptable level of expected behavior.

II.C,2 Establish knowledge and skill requirements for all positions at the operational, support, and management levels and develop educational curricula and training programs on that basis. Recruitment and selection criteria should be developed that incorporate these requirements. Those already employed must obtain them within a specified period of time as a condition of employment.

II.C,3 Preemployment screening for applicants in information systems should include investigation of their character, habits, previous employment, and other matters necessary to establish their good moral character, reputation, and honesty. Giving false information of a substantial nature should disqualify an applicant from employment. The background investigation should be designed to develop sufficient information to enable appropriate officials to determine employability and fitness of persons entering critical/sensitive positions.

JUVENILE JUSTICE

3rd Revision

This revision of the Goals, Objectives and Strategies for Juvenile Justice in Oklahoma is the result of Committee work over the period 8/4/76 through 10/28/76.

- I. GOAL: ADEQUATE AND CONSISTENT STATE SUBSIDIZED FUNDING FOR BOTH PUBLIC AND PRIVATE COMMUNITY-BASED JUVENILE SERVICES/PROGRAMS SHOULD BE MADE AVAILABLE. 1
- I.A. Objective: Ensure the ongoing operation of community-based juvenile services/programs by providing state monies. 1
- II. GOAL: COMMUNITY-BASED JUVENILE SERVICES/PROGRAMS SHOULD RESPOND TO LOCAL NEEDS AND PROVIDE FOR VARIOUS TREATMENT PROGRAMS NEEDED IN THE COMMUNITY. 1
- II.A. Objective: Community-based juvenile services/programs should be organized on a local level. 1
- III. GOAL: ESTABLISH VICTIM RESTITUTION PROGRAMS. 2
- III.A. Objective: Establish a system-wide victim restitution program that would encompass the process from intake through juvenile parole. 2
- IV. GOAL: CRITERIA SHOULD BE ESTABLISHED FOR THE DIVERSION OF JUVENILES AND PARTICULARLY STATUS OFFENDERS FROM THE JUVENILE JUSTICE SYSTEM. 2
- IV.A. Objective: Specific criteria for diversionary referrals should be jointly developed and specified in writing by law enforcement agencies, courts, and community-based juvenile services/programs. 2
- IV.A. Objective: Minimize the involvement of status offenders with the juvenile justice system. 3
- V. GOAL: COMMUNITIES SHOULD PROVIDE ADEQUATE DETENTION, SHELTER, MEDIUM SECURITY COMMUNITY-BASED RESIDENTIAL FACILITIES AND DIAGNOSTIC AND EVALUATION CENTERS. 3
- V.A. Objective: Guidelines should be developed for the operation of community-based juvenile facilities. 3
- V.B. Objective: Regional Diagnostic and Evaluation Centers should be established that determine the most appropriate placement and treatment for juveniles prior to commitment. 5
- VI. GOAL: ESTABLISH AN INTERMEDIATE YOUTH OFFENDER SYSTEM TO DEAL WITH THOSE PERSONS IN THE AGE RANGE OF 16 TO 21. 5

- VI.A. Objective: Establish an intermediate youth offender system as an alternative to the juvenile and criminal justice systems with jurisdiction over corrections and treatment of persons between the ages of 16 to 21. 5
- VII. GOAL: LEGISLATION SHOULD BE ENACTED TO PROVIDE MANDATORY SENTENCING PROVISIONS IN THE JUVENILE SYSTEM, APPLICABLE TO SPECIFIED SERIOUS AND REPEAT JUVENILE OFFENDERS. 6
- VII.A. Objective: Establish specific criteria for sentencing. 6
- VIII. GOAL: REVISE EXISTING STATUTES TO ALLOW JUVENILE COURTS CONTINUING JURISDICTION OVER JUVENILES ADJUDICATED DELINQUENT AND REQUIRE EACH JURISDICTION TO REVIEW PLACEMENTS AND TREATMENT OF COMMITTED YOUTH. 7
- VIII.A. Objective: Juvenile courts should maintain jurisdiction over juveniles adjudicated delinquent with the authority to modify such decrees and orders. 7
- VIII.B. Objective: Juvenile courts should be required to review the cases of those juveniles deprived of their liberty and ensure their well-being. 7
- IX. GOAL: INSURE APPROPRIATE, EFFECTIVE, AND FAIR PROCESSING OF JUVENILE OFFENDERS. 8
- IX.A. Objective: Establish effective mechanisms for processing juvenile offenders including:
- a. Determination of most effective disposition.
 - b. Formal adjudication. 8
- IX.B. Objective: The state should enact specific legislation governing juvenile probation. 10

I. GOAL: ADEQUATE AND CONSISTENT STATE SUBSIDIZED FUNDING FOR BOTH PUBLIC AND PRIVATE COMMUNITY-BASED JUVENILE SERVICES/PROGRAMS SHOULD BE MADE AVAILABLE.

I.A. Objective: Ensure the ongoing operation of community-based juvenile services/programs by providing state monies.

Possible Strategies

- I.A,1 Public funds should be appropriated on an ongoing basis for continuing support for effective community-based juvenile services/programs.
- I.A,2 Proportionate funding for community-based juvenile services/programs for high incidence areas and populations should be made available.
- I.A,3 Private funding should be encouraged to supplement state financial commitments for community-based juvenile services/programs.
- I.A,4 Community-based juvenile services/programs should develop procedures for effective use of existing community services and have available funds for the purchase of private services when they are not provided.
- I.A,5 Agencies receiving state-subsidized funds should be required to offer a strict accountability of funds expenditures.

II. GOAL: COMMUNITY-BASED JUVENILE SERVICES/PROGRAMS SHOULD RESPOND TO LOCAL NEEDS AND PROVIDE FOR VARIOUS TREATMENT PROGRAMS NEEDED IN THE COMMUNITY.

II.A. Objective: Community-based juvenile services/programs should be organized on a local level.

Possible Strategies

- II.A,1 Community-based juvenile services/programs should be organized with locally operated boards representative of the community.
 - II.A,2 Judicial involvement in community-based juvenile services/programs other than on boards should be limited to the judicial decision-making process.
- II.B. Objective: Provide specialized treatment programs in the community for delinquents, status offenders, abused, and dependent and neglected children.

- II.B,1 Develop specialized programs for those with learning problems, troubled youth, delinquents, drop outs, and truants in schools or develop alternative education programs in order to facilitate their reentry into the existing education system and/or their employment.
- II.B,2 Juvenile mental health facilities should be established to provide treatment for drug abusers, mentally ill, emotionally disturbed and psychotic youth.
- II.B,3 Juvenile judges and juvenile justice personnel should be aware of mental health programs and work with mental health personnel in handling difficult juvenile problems.

III. GOAL: ESTABLISH VICTIM RESTITUTION PROGRAMS.

- III.A. Objective: Establish a system-wide victim restitution program that would encompass the process from intake through juvenile parole.

Possible Strategies

- II.C,1 Legislation to vest authority with juvenile courts to order restitution should be enacted.
- II.C,2 Restitution programs should be administered to respond to crimes against person and property.
- II.C,3 Specific criteria should be developed for the restitution program to determine what kind of victim and juvenile are eligible for participation.
- II.C,4 Access the possibility and merit of state-subsidized restitution programs.

IV. GOAL: CRITERIA SHOULD BE ESTABLISHED FOR THE DIVERSION OF JUVENILES AND PARTICULARLY STATUS OFFENDERS FROM THE JUVENILE JUSTICE SYSTEM.

- IV.A. Objective: Specific criteria for diversionary referrals should be jointly developed and specified in writing by law enforcement agencies, courts, and community-based juvenile services/programs.

Possible Strategies

- IV.A,1 Diversionary referrals should be encouraged by continual communication and cooperation between law enforcement, court, and community-based juvenile services/programs.

- IV.A,2 Referrals to the community-based juvenile services/programs should be completed only if agreed to by the youth.
- IV.A,3 When a youth does not agree to an alternative program referral, the matter should be subject to further justice system disposition where applicable.
- IV.A,4 When the juvenile fully participates in the referral program, he/she should not be subject to further intervention for the reason of that referral.
- IV.A,5 Continue the further development of a statewide system providing services such as emergency shelters, counseling and other correctional services of other community agencies to which persons can be diverted.
- IV.A,6 Law enforcement personnel should have the discretionary authority to divert juveniles outside of the juvenile justice system when charges are unfounded or the juvenile may be referred back to his/her parents or to a social service agency.

IV.B. Objective: Minimize the involvement of status offenders with the juvenile justice system.

Possible Strategies

- IV.B,1 Upgrade community-based juvenile services/programs throughout the state to focus on status offenders.
- IV.B,2 Reduce the institutionalization of status offenders within 2 years by ____%.
- IV.B,3 Eliminate the institutionalization of status offenders within ____ years.

V. GOAL: COMMUNITIES SHOULD PROVIDE ADEQUATE DETENTION*, SHELTER, MEDIUM SECURITY COMMUNITY-BASED RESIDENTIAL FACILITIES AND DIAGNOSTIC AND EVALUATION CENTERS.

V.A. Objective: Guidelines should be developed for the operation of community-based juvenile facilities.

Possible Strategies

- V.A,1 Juvenile facilities should be located in residential areas of the community, near court and community services.

*Detention refers to pre-adjudicatory detention.

- V.A,2 Juveniles being detained should be provided with:
- a. Healthful surroundings - including independent safety and sanitation inspections by an agency vested with necessary authority to enforce such regulations.
 - b. Recreational opportunities.
 - c. Continuing educational opportunities.
- V.A,3 Planning of juvenile facilities should comply with pertinent state and federal regulations and the Environmental Policy Act of 1969.
- V.A,4 Distinct separation of delinquents, status offenders, and dependent neglected children should be provided for in juvenile facilities.
- V.A,5 Guidelines and plans for the inspection and renovation of juvenile facilities should be developed.
- V.A,6 Establish policies and mechanisms to restrict the circumstances for and length of juvenile detention to absolute minimums.
- V.A,7 Each juvenile court jurisdiction should take action to establish organized intake services operating as part of and in conjunction with juvenile facilities.
- V.A,8 Each facility should have a full-time counseling supervisor responsible for developing and maintaining an overall detention program, including the training and supervising of staff and volunteers.
- V.A,9 There should be a population limit of ____ juveniles per detention facility.
- V.A,10 There should be a limit of ____ juveniles in each living area of the facility.
- V.A,11 Existing residential facilities should be used in preference to new construction.
- V.A,12 Renovation of facilities should be designed to enhance participation of residents and staff in the various programs of the facility.

V.A,13 Ensure the physical separation of juveniles, as prescribed by law, from adults accused or convicted of crimes, in a room or ward completely separate from adults.

V.B. Objective: Regional Diagnostic and Evaluation Centers should be established that determine the most appropriate placement and treatment for juveniles prior to commitment.

Possible Strategies

V.B,1 Diagnostic and Evaluation Centers should be designed to:

- a. Sort out youthful, unsophisticated offenders and keep them separate from confirmed delinquents, and
- b. Provide a place for professional diagnosis so that the juvenile will be offered the treatment most suited to his/her needs.

V.B,2 Juveniles committed to public or private agencies should be evaluated before placement is determined.

V.B,3 Diagnostic and Evaluation Centers should be available for the evaluation of any juvenile when it is deemed necessary for treatment determination.

VI. GOAL: ESTABLISH AN INTERMEDIATE YOUTH OFFENDER SYSTEM TO DEAL WITH THOSE PERSONS IN THE AGE RANGE OF 16 TO 21.

VI. Objective: Establish an intermediate youth offender system as an alternative to the juvenile and criminal justice systems with jurisdiction over corrections and treatment of persons between the ages of 16 to 21.

Possible Strategies

VI.A,1 Establish indeterminate sentencing procedures of not less than the minimum time prescribed for an offense committed by an adult and a maximum to be determined by the sentencing judge, but not to exceed five (5) years.

VI.A,2 The youth offender system should maintain regional treatment centers throughout the state with a minimum of one (1) in each criminal justice substate planning district.

VI.A,3 The youth offender system should be required to provide, either in conjunction with regional treatment centers or through in-

dependent facilities, the capability of comprehensive examination, observation, and diagnosis, where each offender would be first committed in determining a treatment program.

- VI.A,4 The youth offender system should be required to maintain, either in conjunction with regional centers or through separate facilities, the provision of maximum security for the incapacitation of incorrigibles who are not amenable to treatment and constitute a threat to the community.
- VI.A,5 The youth offender system should have the broad power to utilize community-based treatment programs and to structure comprehensive short-term training programs with respect to academic skills and vocational skills.
- VI.A,6 The youth offender system should have the ability to arrange for the employment of persons committed to the youth offender system and house them in the regional centers.

VII. GOAL: LEGISLATION SHOULD BE ENACTED TO PROVIDE MANDATORY SENTENCING PROVISIONS IN THE JUVENILE SYSTEM, APPLICABLE TO SPECIFIED SERIOUS AND REPEAT JUVENILE OFFENDERS.

VII.A. Objective: Establish specific criteria for sentencing.

Possible Strategies

- VII.A,1 Legislation should be enacted adopting a uniform sentencing code for juveniles which would establish specific criteria for sentencing.
- VII.A,2 The possible range of sentences should be narrow and for first time offenders be relatively low.
- VII.A,3 For habitual offenders mandatory minimum sentences should be imposed.
- VII.A,4 The Court may, at the time of sentencing or upon a subsequent hearing, suspend the sentence in excess of six months when it determines from the evidence presented that:
- a. It would best serve the needs of the juvenile.
 - b. It would pose no probable threat to property or person upon his/her earlier release.
 - c. When all or a portion of the commitment in excess of

six (6) months is suspended, the Court shall set forth with particularity the reasons relied upon in so doing in its order or disposition.

VII.A,5 Courts will maintain the authority to direct appropriate care and treatment for diagnosed conditions of mental illness and retardation in lieu of applicable mandatory sentences.

VIII. GOAL: REVISE EXISTING STATUTES TO ALLOW JUVENILE COURTS CONTINUING JURISDICTION OVER JUVENILES ADJUDICATED DELINQUENT AND REQUIRE EACH JURISDICTION TO REVIEW PLACEMENTS AND TREATMENT OF COMMITTED YOUTH.

VIII.A Objective: Juvenile courts should maintain jurisdiction over juveniles adjudicated delinquent with the authority to modify such decrees and orders.

Possible Strategies

VIII.A,1 Revise 10 O.S.A. §1118.

VIII.A,2 Revise 10 O.S.A. §1139.

VIII.B Objective: Juvenile courts should be required to review the cases of those juveniles deprived of their liberty and ensure their well-being.

Possible Strategies

VIII.B,1 All agencies, public, private and/or individuals, receiving custody of a juvenile should be subject to review requirements.

VIII.B,2 Reviews should apply to all categories of juveniles:

- a. Delinquents
- b. Children in need of supervision
- c. Dependent and neglected children
- d. Children placed for adoption

VIII.B,3 The review should ensure minimum standards of sanitation and care.

VIII.B,4 The review process should be established for judicial, administrative and institutional accountability.

VIII.B,5 The review should determine:

- a. Where the youth is physically

- b. Has a determination of the youth's needs been made, and
- c. Are the needs being met?

VIII.B,6 The review should be conducted no less than annually.

VIII.B,7 Revise 10 O.S.A. §1116 (a)(2).

IX. GOAL: INSURE APPROPRIATE, EFFECTIVE, AND FAIR PROCESSING OF JUVENILE OFFENDERS.

IX.A. Objective: Establish effective mechanisms for processing juvenile offenders including:

- a. Determination of most effective disposition.
- b. Formal adjudication.

Possible Strategies

IX.A,1 When law enforcement officers take a juvenile into custody, they must:

- a. Inform the juvenile of his/her right to counsel and to remain silent.
- b. Notify parents.

IX.A,2 Dependent children - those in need of care through no fault of their parents, should be handled through the jurisdiction of the court.

IX.A,3 In certain types of cases, the family or juvenile court should have authority under the law to remand a juvenile to adult court for prosecution as if he were an adult.

IX.A,4 The court should be authorized to order institutionalization of a juvenile only upon:

- a. Determination of delinquency.
- b. Finding that no alternative disposition would accomplish the desired result.

IX.A,5 The juvenile should be afforded all of the rights given a defendant in an adult criminal prosecution including trial by jury.

IX.A,6 A legal officer representing the state should present evidence supporting the allegation of delinquency.

- IX.A,7 Defense counsel should:
- a. Function as the advocate for the juvenile;
 - b. Not be affected by the parents' wishes if they differ from those of the juvenile.
- IX.A,8 The adjudicatory hearing to determine whether or not a juvenile is a delinquent should be separate and distinct from the disposition hearing - assuming a finding of delinquency.
- IX.A,9 The intake unit should not be controlled by the court, so the court does not have access to facts before the case is heard.
- IX.A,10 The functions of the intake unit should include:
- a. The initial decision concerning detention or shelter care;
 - b. The decision whether or not to offer diversion programs;
 - c. The decision (in consultation with the prosecutor) whether or not to file a petition alleging delinquency or neglect.
- IX.A,11 State law should formulate criteria for intake units concerning juvenile placement.
- IX.A,12 Intake personnel should have the authority to dismiss complaints which:
- a. Do not fall within the delinquency jurisdiction of the court;
 - b. Are minor or vindictive.
- IX.A,13 Intake personnel should have the authority to divert or seek informal service dispositions for as many cases as possible, such as restitution programs and community-based juvenile services/programs.
- IX.A,14 Informal service dispositions should have the following characteristics:
- a. Juveniles and parents should be advised of right to counsel and to formal adjudication (and advised that

informal disposition can be terminated);

- b. Participation by all should be voluntary;
- c. Major facts of the case should be undisputed; admission of guilt should be totally voluntary;
- d. Statements made during the informal process should not be excluded from subsequent formal proceedings if an admission of guilt is made by the juvenile and he then violates the terms of a deferred filing.
- e. A reasonable time limit (1 to 2 months) should be adhered to between the date of the complaint and the date of the agreement;
- f. Restraints on the juvenile should be minimal.
- g. Provision should be made for appointment of attorneys for indigent parents when the state is proceeding on a child as dependent and neglected.

IX.A,15 The child should be permitted to remain with parents (or others) subject to such conditions as the court may prescribe.

IX.B. Objective: The state should enact specific legislation governing juvenile probation.

Possible Strategies

IX.B,1 Legislation should be enacted to establish criteria for:

- a. Probation;
- b. Probation as an alternative to incarceration;
- c. Granting of probation;
- d. Probation conditions;
- e. Revocation of probation;
- f. Length of probation.

IX.B,2 The court should continue to have authorization to discharge a person from probation at any time.

COURTS
SECOND REVISION

This revision of the Goals, Objectives and Strategies for Courts in Oklahoma is the result of Committee work conducted over the period 8/13/76 through 10/13/76.

I. GOAL: OBTAIN A SIGNIFICANT REDUCTION OF DELAYS IN CRIMINAL PROCEEDINGS

I.A. Objective: Policies should be developed which will speed and upgrade the process and make a more effective use of time.

Possible Strategies

- I.A,1 The Court of Criminal Appeals should adopt court rules specifying the maximum allowable delay for felony trials, misdemeanor trials and retrials providing elasticity for special situations.
- I.A,2 Each court should develop policies and procedures governing:
 - a. Case scheduling
 - b. Preliminary hearings
 - c. Arraignment
 - d. Motions and pretrial conference
 - e. Grand juries
 - f. Continuances
- I.A,3 A system of priorities should be developed for docketing of trials.
- I.A,4 The defendant should be represented by counsel well qualified in criminal trial proceedings.
- I.A,5 Each court should adopt rules governing the conduct of trial so that the maximum effective use is made of the courts time and of the judges time.
- I.A,6 Rules should be adopted that cover pretrial discovery.
 - a. The Tulsa Omnibus Hearing Procedure Project should be monitored for possible future statewide implementation.
 - b. An indepth study should be conducted by the legislature, the Bar Association, the District Attorney's Association and other professional organizations to look at developing a workable discovery situation so that pretrial procedure might be streamlined and made more effective.

- I.A,7 It is recommended that the crime of public intoxication be decriminalized.
- I.A,8 It is also recommended that the Legislature consider for adoption the Uniform Alcoholism and Intoxication Treatment Act.
- I.A,9 All acts and omissions now considered criminal which are of a minor variety should be reclassified as "infractions" and dealt with administratively so far as is consistent with constitutional principals.
- I.A,10 Oklahoma should study the use of videotaped testimony in criminal cases where it is consistent with constitutional principals.
- I.A,11 A study is recommended to analyze the possibility of facilitating access to a jury trial, both civil and criminal, in those areas of the state where cases are filed in a county in which the population base of the county does not justify frequent jury terms.
- I.A,12 Witness and juror fees should be increased.
- a. Jurors should receive reasonable compensation for their services.
 - b. Law enforcement witnesses should be compensated at a rate equal to that they would receive if they were performing other official duties.
 - c. Citizen witnesses should be compensated at a reasonable rate to include round trip travel between court and their residence or business.

II. Goal: Safeguard the Rights of Accused by Imposing Control of Plea Bargaining

II.A Objective: Adopt written policies and procedures governing the plea bargaining process to ensure equality of treatment and proper disposition of cases.

Possible Strategies

- II.A,1 The agreement upon which a negotiated plea is based should be presented to the judge in open court for his acceptance or rejection.
- II.A,2 The court should not participate in the plea negotiation but should inquire as to any existing agreements.
- II.A,3 The court should not accept the plea if:
 - a. The defendant was not represented by competent counsel during the negotiation process.
 - b. A checklist of constitutional rights was not completed.
 - c. Defendant continues to assert facts that, if true, establish he is not guilty of the offense to which he seeks to plead; or
 - d. Accepting the plea would not serve the public interest.
- II.A,4 The court should not enter a judgment upon a guilty plea without making such inquiries as may satisfy it that there is a factual basis for the plea.

II.B Objective: Prosecutor's offices should develop written policy and practice statements governing all staff members involved in plea negotiations.

Possible Strategies

- II.B,1 An experienced prosecutor should be assigned to review negotiated pleas to assure proper application of guidelines. The policy statement should be available to the public.
- II.B,2 The prosecutor should inform both the police officer(s) and the victim(s) as to why a particular negotiated plea was reached,

II.B,3 A time should be set after which plea negotiations may no longer be conducted.

II.B,4 A defendant should be afforded an opportunity for counsel prior to any plea negotiations.

II.C. Objective: Both prosecutors and defense counsel should seek to make the plea negotiation process a more fair and uniform process by engaging in the highest standard of conduct so that opportunities for abuse are decreased.

III. GOAL: PROVIDE A COMPLETE AND ADEQUATE REVIEW OF CRIMINAL CASES

III.A. Objective: Standards should be developed governing the review process.

Possible Strategies

- III.A,1 The appellate court should proceed without unreasonable or unnecessary delay to review the judgment and sentence imposed upon the defendant.
- III.A,2 The review of the judgment and sentence should extend to the entire case, including: jurisdiction, sentence, trial errors, constitutional errors and errors not apparent in trial record.
- III.A,3 The reviewing court should utilize a flexible procedure which will dispose of the case in the interest of justice.
- III.A,4 Every defendant should have the opportunity to be represented by counsel, and where the defendant is indigent, counsel should be appointed for him at public expense. Unless exceptional circumstances exist, said counsel should assist the defendant at all stages of the review of his judgment and sentence.
- III.A,5 Transcripts of the trial and other proceedings should be provided without unnecessary delay and in the case of an indigent defendant, they should be provided at public expense.
- III.A,6 Review of the defendant's judgment and sentence should be complete both as to substance and procedure and no error should be excluded from consideration unless its assertion was voluntarily and intelligently waived by the defendant.
- III.A,7 Means should be available to assert errors not known or readily discoverable until after the primary review of the defendant's judgment.
- III.A,8 The appellate court should have the jurisdiction and authority to adequately dispose of the judgment and/or sentence received by the defendant.
- III.A,9 The appellate court should maintain one central file containing the entire record of the proceedings relating to the defendant.
- III.A,10 Cases should be disposed of by the appellate court by written order or opinion.

III.B. Objective: Standards for post conviction remedies should be developed.

Possible Strategies

- III.B,1 Every defendant shall be entitled to one review of the judgment and sentence imposed by the District Court. There shall be three grounds on which such an action can be maintained.
- a. There exist errors in the conduct of the trial or pretrial proceedings.
 - b. The conviction was obtained in violation of the defendant's state and/or federal constitutional rights.
 - c. The sentence imposed was improper or excessive.
- III.B,2 Where necessary the Court of Criminal Appeals should conduct an evidentiary hearing to determine facts not fully developed in the record and necessary to disposition of the defendant's case.
- III.B,3 Upon the following allegations a defendant shall be entitled to a subsequent review of the judgment and sentence imposed by the District Court.
- a. Newly discovered evidence which raises substantial doubt as to the guilt of the defendant.
 - b. Impropriety in the fact-finding process resulting in the denial of a full and fair hearing.
 - c. Ineffective assistance of counsel at any previous stage of the proceedings.
 - d. Change of law.
- III.B,4 The Court of Criminal Appeals shall implement the above procedures in the public interest and to achieve the ends of justice.
- III.B,5 After a defendant has been sentenced and before Appeal the Trial Court shall conduct a hearing and examination of the defendant to determine if a new trial, or any part thereof should be conducted. Said determination shall be based on a review of the record (procedural checklist) as well as argument of Counsel.

IV. GOAL: UPGRADE AND IMPROVE THE QUALITY OF JUDICIAL PERSONNEL AND FACILITIES.

IV.A. Objective: Upgrade recruitment and selection.

Possible Strategies

- IV.A,1 Standards should be set for the recruitment and selection of personnel.
- IV.A,2 Judges should be elected and where a vacancy occurs they should continue to be nominated through the Judicial Nominating Committee.
- IV.A,3 Encourage and support citizen involvement in the political process of selecting highly qualified district attorney candidates.
- IV.A,4 Where possible, all assistant district attorneys should be full-time and prohibited from engaging in outside law practice.
- IV.A,5 Study the feasibility of a true merit system so that retention selection is a more equitable process.
- IV.A,6 There should be a long range study to improve the relative position of the court clerk as an elected official.
- IV.A,7 The court clerk, whether elected or appointed, should be managerially subordinate to judicial service.
- IV.A,8 Discrimination should be eliminated in the employment of judicial personnel.

IV.B. Objective: Improve the quality and adequacy of staff.

Possible Strategies

- IV.B,1 Funding should be available so that adequate staff support is provided to all judges, prosecutors and public defenders.
- IV.B,2 The quality of the judiciary may be maintained through increased use of the Council on Judicial Complaints and enforcement through the Court on the Judiciary.
- IV.B,3 Insure that there is a proper geographical distribution of judicial personnel based on work and travel load.

IV.C. Objective: Upgrade training, education and career development.

Possible Strategies

- IV.C,1 Ongoing education and training should be provided to judges, prosecutor, public defenders and clerical help.
- IV.C,2 Training and education should be coordinated through such professional organizations as the Bar Association and the District Attorney's Association.
- IV.C,3 Advantage should be taken of continuing education programs offered through law schools in Oklahoma.

IV.D. Objective: Establish fair and competitive salaries and benefits for judges, prosecutors, public defenders and support personnel.

Possible Strategies

- IV.D,1 Judges should be compensated at a rate that adequately reflects their judicial responsibilities.
- IV.D,2 Judicial salaries should be reviewed on a regular basis and should be comensurate with the marketplace.
- IV.D,3 Study the feasibility of a constitutional amendment which would allow for the raising or lowering of salaries before the end of a term of office.
- IV.D,4 District attorneys and public defenders should be compensated at a rate not less than that of the presiding judge of the district court.
- IV.D,5 Salaries for assistant district attorneys and assistant public defenders through the first 5 years of service, should be comparable to those of attorney associates in local private law firms.
- IV.D,6 The state should assume the cost of salaries for all assistant district attorneys and for the operating expenses of district attorney offices.

IV.E. Objective: Improve facilities for the functioning of court business.

Possible Strategies

- IV.E,1 Each jurisdiction should develop final plans for the renovation or construction of facilities adequate for the conduct of court business.
- IV.E,2 All courthouses should have adequate provisions for the conduct of court business.
- IV.E,3 The courthouse itself should:
- a. Be of sufficient size for the population served.
 - b. Have proper lighting, heating and cooling systems.
 - c. Have accoustical design which facilitates proper interchange between trial participants.
- IV.E,4 Pretrial detention facilities should be located near the courthouse.
- IV.E,5 The offices of prosecutors and public defenders should be comparable in space and equipment to those offices of similar size law firms.
- IV.E,6 A lawyer's workroom should be available in the courthouse for both public and private attorneys. Such a room should provide privacy for discussions with clients.

V. GOAL: PROMOTE FAIRNESS AND EQUALITY OF SENTENCING

V.A. Objective: Establish specific criteria for sentencing.

- V.A,1 The Constitution of the State of Oklahoma should be amended to allow for the setting of mandatory minimum sentences by the Legislature and to remove the unlimited authority of the Pardon and Parole Board.
- V.A,2 Legislation should be enacted adopting a uniform sentencing code which would establish specific criteria for sentencing.
- V.A,3 Sentences should more accurately reflect the amount of time which would actually be spent in prison.
- V.A,4 Those crimes currently classified as felonies should be divided into five categories based upon the gravity of the offense and sentences should be imposed according to the category.
- V.A,5 The possible range of sentences should be narrowed and for first time offenders should be relatively low.
- V.A,6 For habitual offenders mandatory minimum sentences should be imposed.
- V.A,7 For repeat violent offenders and habitual criminals of a serious nature, there should be a possibility of life without parole.
- V.A,8 In keeping with the space restrictions in the Correctional Department, correctional alternatives should be explored for less violent offenders.
- V.A,9 For non-violent property crimes and such crimes as bogus checks and larceny, a system of restitution administered through community-based treatment centers should be developed.
- V.A,10 For all crimes in one criminal transaction one concurrent sentence should be imposed.
- V.A,11 The Parole Board should be required to consider inmates for parole based on published criteria and not on their own prerogatives.
- V.A,12 Sentencing courts should not have continuing jurisdiction over the offender.

- V.A,13 Determine the categories of offenses for which a fine is an appropriate sanction and provide a maximum fine for each category.
- V.A,14 Sentencing courts should adopt a policy that the court in imposing sentence should not consider as a mitigating factor, the defendant's pleading guilty or, as an aggravating factor, the defendant's seeking the protection of right to trial assured him by the Constitution.
- V.A,15 Sentencing courts should be required to grant an offender credit for all time served in jail awaiting trial or appeal.
- V.A,16 Sentencing should be separated from the determination of guilt through a bifurcated process.

VI. GOAL: INSURE THE RIGHTS OF DEFENDANTS DURING DETENTION AND WHILE AWAITING TRIAL

VI. Objective: Every jurisdiction should guarantee by statute or rule of court the right of an accused person to prompt and effective communication with a lawyer and should require that reasonable access to a telephone or other facilities be provided for that purpose.

Possible Strategies

- VI.A,1 A defendant should be presented before a judicial officer within a reasonable time after he is arrested and a citation has not been issued.
- VI.A,2 The judicial officer, upon showing of justification, should have the right to remand the defendant to police custody for a custodial investigation. This determination should occur as soon as possible.
- VI.A,3 A defendant should be advised orally and in writing, of the charges against him, of his constitutional rights and of the date of his trial and public hearing.
- VI.A,4 Public representation for eligible defendants should be arranged in all criminal proceedings.
- VI.A,5 Defendants should be discouraged from conducting their own defense in criminal prosecutions. The court should not accept waivers of basic rights such as right to counsel, right to trial by jury and right to remain silent until the defendant has been contacted by counsel. All waivers should be required to be in writing and acknowledged in court.
- VI.A,6 Defendant's eligibility for defense services should be determined as soon as feasible after a person is taken into custody.
- a. The decision should be made by the judge or an officer of the court selected by him.
 - b. A questionnaire should be used to determine the nature and extent of the financial resources for obtaining representation.

VI.A,7 Persons detained awaiting trial should receive the same rights as:

a. Those persons admitted to pretrial release (except where the nature of confinement requires modification - modification should be as limited as possible).

b. Those persons convicted of a crime.

VI.B. Objective: The state should create a statewide, full-time public defender organization which should be organized around judicial districts.

Possible Strategies

VI.B,1 The state should provide financing for the public defender system as the economic feasibility of such a system approaches.

VI.B,2 Public defenders should be nominated by a selection board and appointed by the governor. An updated list of qualified potential nominees should be maintained from which the selection board can draw.

VI.B,3 Public defender offices should have adequate supportive services including secretarial, investigation and social work assistance.

VI.C. Objective: Public defenders should be provided with training and educational opportunities.

Possible Strategies

VI.C,1 Provide systematic comprehensive training to public defenders and assigned counsel panel members equal to that received by prosecutor and judge.

VI.C,2 The state should establish a defender training program to instruct new defenders and assigned panel members in substantive law procedure and practice.

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VII. GOAL: IMPROVE ADULT INTAKE SERVICES AND MINIMIZE PRE-TRIAL CONFINEMENT

VII.A Objective: Create policies and standards to improve adult intake services and minimize pre-trial confinement.

Possible Strategies

- VII.A,1 Each judicial jurisdiction should take immediate action to establish centrally coordinated and directed adult intake services, to include all adults at both the misdemeanor and felony levels.
- VII.A,2 Intake services should be operated in cooperation with the judiciary, operate in conjunction with community correctional facilities and programs, protect the rights of the accused at every phase, and maintain confidentiality at all times.
- VII.A,3 Adult intake services should provide information unique to the defendant and to the case. Required information should include:
- a. Defendant background data and other characteristics needed in decisionmaking such as defendant's family status, employment, residence, education, past history, indigency information relative to appointment of counsel and such data as might be determined by a bail agency interview.
 - b. Current case history stating the proceedings already completed, the length of time between proceedings, continuances (by reason and source), representation and other participants.
- VII.A,4 Intake services should be utilized in every case where there is a potential sentencing disposition.
- a. Gradation of reports should be developed between a full report and a short-form report for screening offenders to determine whether more information is desirable or for use when full report is unnecessary.
 - b. In the event that an offender is sentenced, either initially or on revocation of a less confining sentence, to either community supervision or total incarceration, the report should be made a part of his official file.

- VII.A,5 Each local agency should establish procedures and written guidelines which:
- a. Insure that all arraigned defendants are considered for pretrial release.
 - b. Insure that the alternatives to pretrial detention will reasonably assure the appearance of the accused for trial.
 - c. Insure the rights of the person arrested.
 - d. Insure that local prejudice and politics would not be a major determining factor.
 - e. Provide for uniformity in pretrial release.
- VII.A,6 A person in physical custody should be taken before a judicial officer within a reasonable time.
- VII.A,7 Adequate investigation of defendants' characteristics and circumstances should be undertaken to identify those defendants who can be released prior to trial solely on their own promise to appear for trial. Release on this basis should be made wherever appropriate. If the defendant cannot appropriately be released on this basis, consideration should be given to releasing him under certain conditions such as the deposit of a sum of money to be forfeited in the event of nonappearance, or assumption of an obligation to pay a certain sum of money in the event of nonappearance or the agreement of third persons to maintain contact with the defendant and to assure his appearance.
- VII.A,8 In certain limited cases it may be appropriate to deny pretrial release completely.
- VII.A,9 Judicial officers on the basis of information available to them should select from the list of the following alternatives the first one that will reasonably assure the appearance of the accused for trial or, if no single condition gives that assurance, a combination of the following:
- a. Release on recognizance without further conditions.
 - b. Release on the execution of an unsecured appearance bond in an amount specified.

- c. Release into the care of a qualified person or organization reasonably capable of assisting the accused to appear at trial.
- d. Release to the supervision of a probation officer or some other public official.
- e. Release with imposition of restrictions on activities, associations, movements, and residence reasonably related to securing the appearance of the accused.
- f. Release on the basis of financial security to be provided by the accused.
- g. Imposition of any other restrictions other than detention reasonably related to securing the appearance of the accused.
- h. Detention, with release during certain hours for specified purposes.

- VII.A,10 Factors to consider in selecting the form of pretrial release should be the nature and circumstances of the offense charged, the weight of the evidence against the accused, his ties to the community, his record of convictions, if any, and his record of appearance at court proceedings or of flight to avoid prosecution.
- VII.A,11 Private bail-bond agencies should be eliminated in the pretrial release process.
- VII.A,12 Willful failure to appear before any court or judicial officer as required should be made a criminal offense.
- VII.A,13 Further conditions may be imposed only after a show cause hearing in which the defendant will have cross examination opportunities, and the use of subpoena.
- VII.A,14 Where conditions are a substantial infringement of defendant's liberty, he should be authorized to request periodic review.
- VII.A,15 Revocation of pretrial release should be in order only where defendant willfully violated a condition of release or has committed a serious crime, and effected only after a hearing on evidence of such activities. Judicial review should be available to defendant following an adverse result at hearing.

CORRECTIONS

Revision #3

This revision of the Goals, Objectives and Strategies for Corrections in Oklahoma is the result of Committee work conducted over the period 8/13/76 through 11/5/76.

CORRECTIONS
GOALS AND OBJECTIVES

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I. GOAL: IMPROVE AND UPGRADE THE QUALITY OF CORRECTIONAL STAFF AND PERSONNEL

- I.A. Objective: The administrative structure of the Department of Corrections should be such that optimal use is made and that there is proper distribution of existing personnel.
- I.B. Objective: Assure sufficient numbers of staff for corrections.
- I.C. Objective: Upgrade the recruitment and selection of correctional personnel.

Possible Strategies

- I.C,1 Insure nondiscrimination in the employment of correctional personnel.
- I.C,2 Correctional agencies should:
- a. Recruit actively from minority groups, women and young persons.
 - b. Insure lateral entry to allow placement of qualified persons in administrative positions.
 - c. Develop selection criteria that remove unreasonable obstacles to the employment of women.
 - d. Assume aggressive leadership in giving women a full role in corrections.
- I.C,3 Where the general population does not reflect the ethnic and cultural diversity of the correctional population, there should be a community relations effort designed to make the community more hospitable and attractive to potential minority recruits. Suitable housing, transportation, education, etc. should be arranged for minority staff where these factors are such as to discourage their recruitment.
- I.C,4 Ex-offenders should be hired on an individual basis rather than being specifically recruited as a group.
- I.C,5 Correctional agencies should recruit and train qualified volunteers from all ranks of life.
- I.C,6 Correctional positions should be protected from political pressure.
- I.C,7 A comprehensive manpower development and training program should be developed to recruit, screen, utilize, train, educate and evaluate probation and parole personnel.

I.D. Objective: Upgrade the training, education and career development of corrections personnel.

Possible Strategies

- I.D,1 Management personnel should receive specialized training in labor management.
- I.D,2 Formal inservice training programs for corrections personnel should be established.
- I.D,3 An educational incentive program for all corrections personnel should be established.
- I.D,4 Correctional agencies should plan, support and implement internship and work-study programs to attract students to corrections.
- I.D,5 Correctional agencies should develop policies to provide opportunities for staff advancement within the system.

I.E. Objective: Establish fair and competitive salaries and benefits for all correctional personnel.

II. GOAL: INSURE THE RIGHTS OF SENTENCED OFFENDERS AND IMPROVE THE CONDITIONS OF CONFINEMENT

II.A. Objective: Establish rules of conduct and disciplinary procedures currently required by court order.

Possible Strategies

- II.A,1 Each correctional agency should establish agency rules to provide procedures for review of offender's grievances, imposition of discipline and change of an offender's status within correctional programs. This procedure should include the presence of an ombudsman.
- II.A,2 All inmates should be provided with written copies of the Inmate Manual of Rules and Regulations.
- II.A,3 Rules of conduct for offenders should be:
- a. Designed to effectuate or protect the interest of the facility or program for which they were promulgated and be
 - b. The least drastic means of achieving that interest.
 - c. Specific.
 - d. Accompanied by a range of sanctions that can be imposed.
 - e. Promulgated after appropriate consultation with offenders and other interested parties.
- II.A,4 Disciplinary procedures should be adopted for each type of correctional facility.
- II.A,5 The Manual of Rules and Regulations should emphasize rewards for good behavior rather than the threat of punishment for misbehavior.
- II.A,6 Rules governing both major and minor violations should provide that the offender be notified of the violation and have an opportunity for review by an impartial officer.
- II.A,7 An offender should have an opportunity to oppose or support proposed changes in status.

- II.B. Objective: Grant to persons under correctional supervision increased access to the courts through better legal services and more legal materials.
- II.C. Objective: Each correctional agency should establish policies and procedures for offenders to be free from personal abuse.
- II.D. Objective: Insure the right of each person in a correctional institution's custody to:
- a. A healthful place in which to live - including his or her own cell.
 - b. Recreational opportunities.
 - c. Healthful surroundings - including independent safety and sanitation inspections.
 - d. Medical care on a 24 hour basis.
- II.E. Objective: Regulations should be established governing searches and seizures of persons under correctional agency authority.
- II.F. Objective: Offenders should not be subjected to discriminatory treatment based on race, religion, nationality, sex or political beliefs.
- II.G. Objective: Each correctional agency should develop and implement policies, procedures and practices governing the offender's right to the opportunity of rehabilitation.
- II.H. Objective: Each correctional agency should develop and implement policies and procedures to assure that individual offenders are able to:
- a. Exercise their constitutional rights of free expression and association;
 - b. Exercise their own religious beliefs; and
 - c. Communicate with the public.
- II.I. Objective: The state should enact legislation to repeal all mandatory provisions depriving persons convicted of a criminal offense and who have served their sentence or been paroled, of civil rights or other attributes of citizenship.

II.J. Objective: A minimum set of requirements regarding adequacy of facilities, services and security should be established and adhered to in all correctional institutions and programs.

1. A system of classification should be established to form a basis for residential assignment and program planning for individuals.
2. Special supervision or treatment should be available for those with special problems and conditions.
3. Visiting hours should be established in each correctional facility.
4. Institutions should apply only the minimum amount of security measures necessary for the protection of the public, the staff and inmates.
5. Policies should support racial integration.

II.K. Objective: Each institution for adults should adopt policies and procedures and provide facilities that will enable inmates to maintain healthy ties to their families and communities.

1. Correctional authorities should promote and facilitate the visitation of offenders by their families.
2. When feasible, inmates should be housed in facilities as close to their families and communities as possible, so as not to place undue burdens on visitation.

III. GOAL: IMPROVE CORRECTIONAL FACILITIES

III.A. Objective: A Master Plan for local jails should be developed.

Possible Strategies

- III.A,1 A set of statewide standard rules and regulations regarding local jails should be developed. These rules should allow for local control but should be enforced by the Department of Corrections.
- III.A,2 Where possible, the use of "holding rooms" in processing admissions should be avoided.
- III.A,3 The Department of Corrections should adopt a policy of not building new institutions unless an analysis of the total criminal justice and adult corrections system produces a clear finding that no alternative is possible.
- III.A,4 At least every five years, a reexamination of the purpose and physical condition of each existing local or state institution should be undertaken.
- III.A,5 Projections of inmate populations should assume maximum use of:
 - a. Diversion.
 - b. Pretrial release programs.
 - c. Post-adjudication alternatives to incarceration.
- III.A,6 Facility planning should develop, maintain and strengthen offender's ties with the community (i.e. convenient access to schools, family, etc.).
- III.A,7 Law enforcement agencies currently operating detention facilities should have the option of turning over all their detention and correctional facilities to an appropriate county, regional or state agency.

IV. GOAL: IMPROVE INTERACTION BETWEEN THE CORRECTIONAL SYSTEM AND THE PUBLIC

IV.A. Objective: The Department of Corrections should establish a public information and education unit to inform the general public on correctional issues and to organize support for, and overcome resistance to, general reform efforts and specific community-based programs and facilities.

Possible Strategies

- IV.A,1 Establish specific programs to inform the public of the problems, needs and activities of the correctional system and its component parts.
- IV.A,2 Citizen input and involvement in the correctional system should be encouraged.
- IV.A,3 The Department of Corrections should take action to establish effective working relationships with the major social institutions, organizations and agencies of the community (i.e. employment and educational resources and social welfare services).
- IV.A,4 Correctional planning should give highest priority to diversion and utilization of existing community resources.
- IV.A,5 Oklahoma should develop a diverse range of programs to meet the needs of parolees.
- IV.A,6 When possible, institutional vocational training should be tied directly to specific subsequent job placements.
- IV.A,7 The Department of Corrections should actively develop the maximum possible interaction between correctional institutions and the community in which they are located.
- IV.A,8 Local adult correctional institutions should develop release programs drawing community leadership, social agencies and business interests into the criminal justice system.

V. GOAL: ALTERNATIVES TO INCARCERATION SHOULD BE EMPHASIZED

V.A. Objective: Where possible, the principle of restitution rather than incarceration should be established.

Possible Strategies

V.A,1 Restitution programs for non-resident, first time offenders convicted of crimes against property should be developed.

V.A,2 Eligibility to participate in the program should be based on predetermined guidelines stating who is eligible for restitution programs and on a pre-sentence investigation which establishes a risk factor for the participant.

V.A,3 Types of restitution may include:

- a. Direct repayment to the victim, depending upon the crime committed.
- b. Payment into a central restitution fund (for crimes against the public).
- c. Public service in lieu of, or in addition to, payment.

V.B. Objective: Other alternatives to incarceration should be explored. They may include:

1. Diversion prior to trial and sentence.
2. Nonresidential supervision programs in addition to probation and parole.
3. Residential alternatives to incarceration.
4. Community resources open to confined populations.
5. Institutional resources available to the entire community.
6. Pre-release programs.
7. Community facilities for released offenders in the reentry phase with provisions for short-term return as needed.
8. Work-release programs.

VI. GOAL: IMPROVE SERVICES AND PROGRAMS FOR INCARCERATES

VI.A. Objective: The Department of Corrections should implement policies and procedures to improve treatment for problem offenders.

Possible Strategies

VI.A,1 A diagnostic report should be developed, along with a program plan for each offender.

VI.A,2 The commitment of offenders addicted to drugs to correctional institutions should be discouraged.

VI.A,3 Institutions should make special provisions, other than segregation, for inmates who have serious behavior problems.

VI.A,4 Psychotic offenders should be transferred to mental health facilities.

VI.B. Objective: The Department of Corrections should develop program provisions for unique problems faced by minority offenders.

VI.C. Objective: Each state and local correctional facility should implement policies and procedures to improve treatment for female offenders.

VI.D. Objective: Legislation should be enacted to broaden the operation of prison industries.

VI.E. Objective: Recreational programs should be available at both state institutions and local correctional facilities.

VI.F. Objective: Each major correctional institution should plan and organize ongoing counseling programs which allow for a low counselor/client ratio.

VI.G. Objective: Each major correctional institution should adopt policies and practices to ensure a full range of religious programs.

END