SPONSOR: Rep. Spence & Sen. Adams
; Reps. Lee, Thornburg

HOUSE OF REPRESENTATIVES
144th GENERAL ASSEMBLY

HOUSE BILL NO. 347

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DELAWARE POLICE ACCREDITATION COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 11 of the Delaware Code by adding a new Chapter 97 to read as follows:

"CHAPTER 97. ESTABLISHMENT OF THE DELAWARE POLICE ACCREDITATION COMMISSION

§ 9701. Legislative Intent.

WHEREAS, the safety of all Delawareans is of paramount importance; and

WHEREAS, municipal, county, university, and Delaware River and Bay Authority police departments, in addition to the Delaware State Police and other State agency police departments, provide a critical role in protecting the lives and property of the citizens of Delaware; and

WHEREAS, many smaller police departments within the State do not have the resources or manpower to complete the rigorous standards issued by the Commission on Accreditation of Law Enforcement Agencies, Inc.; and

WHEREAS, the effectiveness of public safety departments would be better served by a statewide accreditation council and standards achievable by a majority of the departments; and

WHEREAS, the citizens who reside in those jurisdictions would benefit by those departments achieving State accreditation and maintaining those standards; and

WHEREAS, the establishment of Delaware standards for a State accreditation program requires statewide coordination and leadership.

§ 9702. Establishment of the Delaware Police Accreditation Commission.

(a) The Delaware Police Accreditation Commission (hereinafter 'the DPAC') is hereby created.

(b) The members of the DPAC shall be appointed by the Governor. The DPAC shall consist of the following members:

(1) The Attorney General;

(2) The President Pro Tem of the State Senate or designee;

(3) The Speaker of the House of Representatives or designee;

(4) The Chairman, Delaware Council on Police Training;

(5) The Chairman, Delaware Police Chiefs' Council;

(6) The Superintendent, Delaware State Police;

(7) A Chief of Police from New Castle County, recommended by the Chairman, Delaware Police Chiefs' Council;

(8) The Chairman, Sussex County Chiefs organization;

(9) The Chairman, Kent County Chiefs organization;

(10) The Chairman, Accreditation Committee, Delaware Police Chiefs' Council;

(11) The Chief of Police, City of Dover;

(12) The Chief, New Castle City Police Department

(13) The Executive Director, Delaware League of Local Governments;

(14) The Executive Director, Delaware Police Chiefs' Council

(15) A representative of the Office of the Governor who shall serve as Chair; and

(16) Other members as recommended by the DPAC and approved by the Governor.

(c) All members of the DPAC shall serve at the pleasure of the Governor.

(d) The Chairman of the DPAC may form subcommittees consistent with the needs of the DPAC to address police accreditation issues included, but not limited to technical support, operations support, and training support. The subcommittees may include individuals who are not members of the DPAC, but who have an interest or expertise in police accreditation issues. Each subcommittee shall be chaired by a member of the DPAC.

§ 9703. Specific Functions, Bylaws.

The purpose of the DPAC shall be to provide policy level direction and draft and implement State level police accreditation standards for matters related to accreditation. To that end, it shall:

(a) Develop a statewide police accreditation program.

(b) Develop standards for the police accreditation program to ensure consistency of police operations statewide.

(c) Promote cooperation among state, municipal, university, and Delaware River and Bay Authority police agencies in addressing statewide accreditation needs in Delaware.

(d) Provide recommendations to the Governor and the Delaware General Assembly, when appropriate, concerning issues related to State level police accreditation standards in Delaware.

(e) The DPAC shall operate in accordance with bylaws that it adopts. These bylaws may be amended, supplemented, or repealed by the DPAC in accordance with the Freedom of Information Act, Chapter 100, Title 29 of the Delaware Code.".

SYNOPSIS

This Bill establishes the Delaware Police Accreditation Commission.