

Frequently Asked Questions

EO 13929 and the DOJ *Standards of Certification* apply to which entities?

The EO and DOJ *Standards of Certification* are applicable to state, local, and university or college law enforcement agencies (LEA) seeking DOJ discretionary (i.e., competitive) grant funding. They do not apply to tribal law enforcement agencies.

As it relates to certification of safe policing standards, what does an LEA that plans to apply for DOJ discretionary grant funds in fiscal year (FY) 2021* need to do?

LEAs that plan to *or could* apply to receive DOJ discretionary grant funds should begin reviewing their policies to determine whether they meet the criteria as set forth in the *Standards of Certification*. LEAs can contact the independent DOJ-approved credentialing body or bodies in their state or a nationally recognized entity with questions and assistance. Those LEAs that believe they comply with the *Standards of Certification* can immediately initiate a letter to one of the independent DOJ-approved credentialing bodies seeking further review and approval. LEAs that plan to apply for DOJ discretionary grant funds for FY 2021 must be certified or have started the certification process no later than January 31, 2021.

What entity will serve as the primary credentialing or certifying body for law enforcement agencies seeking certification?

In states where there is a state accreditation program, that accreditation program will serve as the primary credentialing or certifying body. If the program has or experiences a capacity challenge (meaning the volume of requests exceeds its capabilities), the default credentialing or certifying body will be the respective Peace Officer Standards and Training (POST) board. In states without an existing accreditation program, the state POST will be responsible for certifying agencies. IADLEST will be available to provide assistance to these states without certifying agencies.

* FY 2021 grant solicitations occur between October 1, 2020, and September 30, 2021.

The Commission on Accreditation for Law Enforcement Agencies (CALEA) will serve as the certifying body for its client pool; however, if a requesting agency would prefer certification from its state accreditation program (if a program exists in its state), the state accreditation program will serve as the certifying body.

The International Association of Campus Law Enforcement Administrators (IACLEA) will serve as the certifying body for its client pool of colleges and universities; however, if a requesting law enforcement agency prefers to be certified by a state accreditation program, the state program will serve to certify the agency.

Where can credentialing bodies go for funding support?

IADLEST has released a COPS Office–approved solicitation on its website limited to entities identified by the Attorney General as independent credentialing bodies. The deadline to apply is November 16, 2020. These mini–grant awards will provide a limited amount of financial funding (based on the available funding from the COPS Office). Any agency on the approved list of independent credentialing bodies may apply and receive these limited funds. For information on how to apply for funding, see <https://www.iadlest.org/news/agencyaccreditation>.

Are the independent credentialing bodies authorized to start work right away?

Yes. The independent credentialing bodies are authorized to start certifying law enforcement agencies.

Will an LEA be permitted to apply for FY 2021 discretionary grant funds if it is not certified by January 31, 2021?

LEAs need not be certified by January 31, 2021, to apply for any DOJ discretionary grants for FY 2021; however, they must be in the process of being certified. Applicants must affirm and provide proof that they are in the process of becoming certified as complying with safe policing practices at the time

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What identifiers will need to be collected from agencies applying for certification?

The COPS Office will need to have the following identifiers to be able to match lists obtained from the independent certifying bodies to agencies applying for funding:

- Originating Agency Identifier (ORI)
- Employee Identification Number (EIN)
- Data Universal Number System (DUNS) number
- Agency name
- Agency address
- The name of the agency's chief executive.

ORI is assigned by the Federal Bureau of Investigation for crime reporting. EIN is assigned by the Internal Revenue Service and can be found on an employee's W2 or payroll statement. A DUNS number is a unique nine- or 13-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds.

Will the credentialing bodies charge a fee to certify pursuant to the EO and DOJ Standards?

Some credentialing bodies could charge a nominal fee to certify law enforcement agencies. LEAs can contact the independent DOJ-approved credentialing body or bodies in their state or a nationally recognized entity with questions and assistance.

How are law enforcement officers or deputies defined?

A law enforcement officer or deputy is a state, local, or university or college employee or volunteer who is licensed under applicable state law or certified by an applicable POST commission.

Are state, county, or local agencies that house offenders but do not have arrest authority or who are not otherwise considered by the state to be an LEA required to be certified?

Agencies that employ officers who meet the definition of a law enforcement officer as described in the EO and prescribed by state statute or regulatory measure should be certified.

Are parole and probation agencies required to be certified?

If the parole and probation agency (1) employs officers who meet the definition of a law enforcement officer as described in the EO and prescribed by state statute or regulatory measure and (2) applies for federal funding from a DOJ component, the agency should be certified.

Do these requirements apply to LEAs receiving DOJ discretionary funding through a subaward via a primary grantee?

Yes, all law enforcement agencies receiving DOJ discretionary funding, including through a subaward, must comply with the certification requirement.

If an LEA decides after January 31, 2021, after having seen a particular FY 2021 solicitation, that they would like to apply for a discretionary grant, are they permitted to apply if they have not yet started the process of certification?

It is recommended that all LEAs that might make an application start the process of becoming certified to prevent the LEA from being precluded from applying later. An LEA that finds itself in this situation may make an appeal to the relevant DOJ grant-making agency for consideration.

What if there is not a credentialing body in the state?

LEAs that do not have a DOJ-approved credentialing body in their state may use one of the following approved nationally recognized entities:

- The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA)
- International Association of Campus Law Enforcement Administrators (IACLEA)
- International Association of Directors of Law Enforcement Standards and Training (IADLEST)

Will there be language about the *Standards of Certification* in the FY 2021 solicitations?

Yes. Specific language regarding certifications will be included in all FY 2021 solicitations.

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How often do I need to renew my certification?

The certifications will be valid for a three-year period and will need to be renewed according to that schedule.

Is there recourse if my application for certification is denied?

Applying agencies denied certification by an independent credentialing body may make an appeal to the Deputy Attorney General for review and relief.

Can I use my CALEA or IACLEA accreditation in lieu of certification?

Agencies that have current active accreditation from CALEA or IACLEA may request certification from the respective agencies, and certification may be issued using the existing accreditation as a basis provided the required safe policing principles are also taken into consideration.

How were the credentialing bodies identified?

The agencies that have been initially identified to serve as the credentialing bodies are organizations that are recognized for routinely establishing law enforcement standards and processes for reviewing adherence to those standards. The Attorney General has sole discretion for the selection of these organizations.

Is there a process of becoming a DOJ-approved independent credentialing body?

The Attorney General has already identified numerous entities to serve in this capacity. However, an entity inquiring about becoming a DOJ-approved independent credentialing body can petition the DOJ by submitting an application to the Director of the COPS Office. Applications should include (1) the name of the entity, (2) point of contact and contact information, and (3) detailed information as to why the entity requires the ability to serve as an independent credentialing body.

Where do I go if I have questions or receive inquiries?

For questions related to the certification process, we encourage you to reach out to your state or national certification organization. Updated information will continue to be posted to the COPS Office website at <https://cops.usdoj.gov>, and you may also contact the COPS Office at 800-421-6770.

Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Customer Care Center at 800-421-6770 or by email at AskCopsRC@usdoj.gov or visit the COPS Office website at www.cops.usdoj.gov.