

	DELMAR POLICE DEPARTMENT	
	Policy 4.1 Hiring and Selection of Personnel	
	Effective Date: 11/01/15	Replaces: 1-5
	Approved: <u>Ivan Barkley</u> Chief of Police	
	Reference: DPAC 1.5.1, 1.9.1, 1.9.2	

I. POLICY

The Delmar Police Department strives to obtain the best law-enforcement officers possible to help achieve the department's policing goals. To that end, the department shall practice a regimented, rigorous selection procedure while simultaneously affording equal opportunity to everyone regardless of race, creed, color, sex, national origin, sexual orientation, or age. The department does not discriminate against people with disabilities and affords them the same access to employment provided to all persons. All personnel who participate in screening and hiring applicants shall be guided by fairness, equal opportunity, and consistency in applying the procedures set forth in this order.

II. PURPOSE

The purpose of this order is to outline minimum hiring requirements and selection process for police officers and non-sworn members of the department.

III. DEFINITIONS

- A. Disability – A physical or mental impairment that substantially limits one or more of the major life activities.
- B. Good Moral Character - The attributes of a prospective employee that enhance his or her value to the department and the goals of community-oriented policing which include honesty, integrity, truthfulness, obedience to the oath of office and the code of ethics, respect for authority, and respect for the rights of others.

IV. QUALIFICATIONS FOR EMPLOYMENT

- A. The minimum qualifications that all applicants for the position of police officer must meet include the following:
 1. Minimum age of 21 and no more than 37 Years of age;
 2. High school graduate or GED;
 3. Pass a written examination;

4. Satisfactorily completing a physical ability test in the 20th percentile as measured by the Cooper Fitness Norms, Single Norms;
5. Pass a background investigation which includes the following:
 - a. Personal and family history;
 - b. Credit history, including current creditors;
 - c. Education, including all schools attended and degrees or certificates obtained;
 - d. All residences for the past ten years;
 - e. Comprehensive employment history;
 - f. A fingerprint-based criminal history search, including all arrests, locations, dates, and dispositions;
 - g. Traffic summonses and accidents;
 - h. An inquiry of family, friends, and associates as to character and reputation, plus an informal interview with the applicant's spouse or "significant other," as well as ex-spouses; and
 - i. Contacts and personnel file review with all previous law enforcement employers (if applicable).
6. Pass an oral interview.
7. Pass a Polygraph or Voice Stress Analysis examination.
8. The applicant shall be examined by a licensed ophthalmologist or optometrist and shall possess acuity of vision of not more than 20/200 corrected to 20/20 in each eye. The applicant shall have the ability to distinguish between the colors of red, green, and amber; and shall have no pathology of the eyes. Applicant shall also possess acceptable depth perception.
9. Pass a physical examination, psychological screening, and drug test.
10. Be of good moral character.

Good moral character is determined by a favorable report following the comprehensive background investigation. The interview shall be employed to help evaluate good moral character. Good moral character ensures compatibility with the department's community-oriented policing goals.

11. Any other standards set by law or by policy of the Maryland Police and Correction Training Commission (MPCTC) and the Delaware Council on Police Training (COPT).

V. DISQUALIFIERS FOR EMPLOYMENT

The following are absolute disqualifiers for employment as a sworn officer.

- A. Conviction or admission of any felony.
- B. Conviction of any misdemeanor which precludes the individual from possessing a weapon.
- C. Prohibited drug use and or possession, based on the minimum standards as set forth by the Maryland Police and Correctional Training Commission and the Delaware Council on Police Training.
- D. Conviction of family violence.
- E. A bad conduct or dishonorable discharge from the military.

VI. APPLICATION PROCESS FOR SWORN

The applicant must complete the following:

- A. Complete a written application and personal history statement and submit it to the Chief of Police. Copies of the following documents will also be submitted:
 1. Birth Certificate;
 2. Social Security Card;
 3. Driver's License;
 4. High School Diploma, transcript or GED certificate;
 5. College transcripts;
 6. Copy of military discharge papers; and
 7. Recent color photo
- B. Arrange with the Administrative Commander to take the written and physical ability test and appear for other selection process steps.

VII. SELECTION PROCESS FOR SWORN

- A. The Administrative Commander will review the application and documents for basic qualifications. If basic qualifications appear to be met and an opening exists, the

Administrative Commander conducts a preliminary review of the candidate and schedules appropriate testing. If no opening exists, the application will be placed in a file for 1 (one) year to await an opening. When an opening occurs, the applicant will be contacted to determine if they are still interested in the position.

- B. The Administrative Commander assigned to conduct a preliminary review of the applicant shall perform the following:
1. Obtain the applicant's driving record from MVA.
 2. Ensure that the applicant has signed all information release forms.
 3. If the applicant lives outside of Delmar, request records checks through agencies in the applicant's previous communities.
 4. Obtain an NCIC/METERS/DELJIS criminal history check.
 5. Administer the written and physical ability examination.
 - a. The written exam includes a comprehensive reading/writing component. The applicant must achieve a score of not less than the minimum scores established for the test. The department shall maintain examination results.
 - b. Applicants should be able to satisfactorily complete 3 (three) of the recommended physical ability test. Satisfactorily is held to mean the achievement in the 20th percentile as measured by the Cooper Fitness Norms, Single Norms.
 6. Applicants successfully passing the written and physical ability examination and meeting department standards to this point shall have their application package assigned to a background investigator for a comprehensive background investigation.
 7. The background investigator shall have had training in conducting background investigations. A query will be made to MPCTC and COPT to determine all other agencies where the applicant has worked. These agencies will be contacted before completion of the background to determine work history and any significant details of their employment.
 8. If more than one applicant is given the written and physical test at the same time, the results are assembled with the highest grade first and submitted to the interview board. The Interview board consists of 3 members of the department, with 1 member being of supervisory level. The candidate is graded on an applicant interview sheet and either passes or fails the interview.
 9. Those passing the interview will then be considered for conditional offers of employment. The applicant's packages will be forwarded to the Chief for offering employment.

- C. The Chief of Police will meet with the applicant who best meets the need of the department and conducts a detailed interview with the candidate. If the Chief approves, he will issue the candidate a Conditional Offer of Employment. A copy will be given to the applicant. The offer of employment is conditional upon passing:
1. A physical and drug screen examination;
 2. A psychological assessment examination by a qualified psychologist or psychiatrist;
 3. A polygraph examination or voice stress analysis.
- D. After a conditional offer of employment is made, the Chief of Police or Administrative Commander may question the applicant regarding his or her prior medical problems including any worker's compensation claims and conditions. The Administrative Commander may also schedule the applicant for any further testing.
- E. Upon completion of all testing and the background investigation, the applicants file will be returned to the Chief of Police for the final decision.
1. Following a medical examination, an offer of employment may be withdrawn if the applicant is incapable of performing the core job functions for the position or poses a "direct threat" in the workplace (per EEOC guidelines, "a significant risk of substantial harm to the individual or others that cannot be eliminated or reduced . . . through reasonable accommodation"). The Chief of Police must base the threat on medical knowledge, not just speculation.
- F. If the individual is approved for hire, the Chief will make all the necessary arrangements for processing a new employee. If the individual is not selected, a letter will be sent to the applicant advising him or her that the Conditional Offer of Employment has been withdrawn and the reason stated plainly.
- G. Application packets for unsuccessful applicants that do not have permanent disqualifiers will be kept on file for 1 year and may be considered for hire if an opening exist with-in 1 year from initial application.
- H. Lateral Entry
1. A certified officer from another agency must meet the same criteria set forth above.
 2. The background investigator shall ensure that an applicant with prior law-enforcement experience has not had his or her certification suspended or revoked. A query will be made to MPCTC and COPT to determine all other agencies where the licensee has worked. These agencies will be contacted before completion of the background to determine work history and any significant details of their employment.

VIII. APPLICATION PROCESS FOR NON-SWORN

The applicant must complete the following for all positions within the Police Department:

- A. Complete a written city application and/or personal history statement and submit it to the Administrative Commander. Copies of the following documents will also be submitted:
 1. Birth Certificate
 2. Social Security Card
 3. Driver's License
 4. High School Diploma or transcript, or GED certificate.
 5. Any college transcripts
 6. Copy of Military discharge papers
 7. Recent Color Photo
- B. Arrange with the Administrative Commander to take any written test if required and appear for other selection process steps.

IX. SELECTION PROCESS FOR NON SWORN

- A. The Administrative Commander will review the application and documents for basic qualifications. If basic qualifications appear to be met and an opening exists, the Administrative Commander will assign a background investigator to conduct a preliminary review of the candidate. If no opening exists, the application will be placed in a file to await an opening. When an opening occurs, the applicant may be contacted to determine if they are still interested in the position.
- B. The employee assigned to conduct a preliminary review of the applicant shall perform the following:
 1. Obtain the applicant's driving record from MVA.
 2. Ensure that the applicant has signed all information release forms.
 3. If the applicant has recently lived outside the county, request records checks through agencies in the applicant's previous communities.
 4. Obtain an NCIC/METERS/DELJIS criminal history check.
 5. Conduct any job specific testing as required.

- C. A background investigator will then conduct a detailed background investigation. The background investigator conducting the background investigation shall have had training in conducting background investigations.
- D. Upon completion of all testing and the background investigation, the applicants file will be returned to the Chief of Police for review.
- E. The Chief of Police will meet with the applicant who best meets the need of the department and conducts a detailed interview with the candidate. During the interview, the Chief of Police shall consider the applicant's appearance (for neatness and cleanliness), mannerisms, judgment, maturity, resourcefulness, and compatibility with departmental goals. If the Chief approves, he will issue the candidate a Conditional Offer of Employment. A copy will be given to the applicant. The Offer of Employment is conditional upon passing:
 - 1. A drug screening
 - 2. A physical
- F. After a conditional offer of employment is made, the Chief of Police or Administrative Commander may gain additional information from the applicant regarding his or her prior medical problems including any worker's compensation claims and conditions.
- G. Following a medical examination, an offer of employment may be withdrawn if the applicant cannot perform the core job functions or poses a "direct threat" in the workplace (per EEOC guidelines, "a significant risk of substantial harm to the individual or others that cannot be eliminated or reduced . . . through reasonable accommodation"). The Chief must base the threat on medical knowledge, not just speculation.
- H. If the individual is approved for hire, the Chief will make all the necessary arrangements for processing a new employee. If the individual is not selected, a letter will be sent to the applicant advising him or her that the Conditional Offer of Employment has been withdrawn and the reason stated plainly.

X. PERSONNEL RECORDS

- A. For each employee, the Department maintains a personnel file. This file contains the background investigation package, a copy of all forms completed during the hiring process, all evaluations, disciplinary action amounting to a written reprimand or higher, leave/attendance record, and assignments. The original of the officer's background investigation and all selection materials is sealed in an envelope in this file and is confidential. All MPCTC and COPT required documents and records of training are maintained in a separate file.
- B. The Administrative Commander maintains and controls all personnel records maintained in the police department. The department complies with the records retention schedule set by state laws and town policy.

- C. Employees may review their records upon request during department administrative hours. The Chief of Police or Administrative Commander may release a copy of a record from any one of the officers' personnel files upon receipt of a signed authorization from the employee.
- D. All personnel records are considered confidential. Supervisory or investigative personnel who have a need to review sensitive information may do so only with the express approval of the Chief of Police or the Administrative Commander.
- E. If the Chief of Police deems it necessary to include derogatory information generated from a source outside the department in a personnel file, he/she shall notify the employee of the fact in writing. The employee may protest the inclusion of such information in writing to the Chief of Police. Probationary employees have no right of protest in such matters.
- F. Personnel records are permanent property of the department.
- G. Officers from the department may terminate employment and seek a lateral hire with another agency. Requests for employment information on these officers shall be referred to the Chief of Police or Administrative Commander. They shall disclose the employee's performance record consistent with current law.
- H. All records of unsuccessful applicants shall be maintained, including all test results, in a confidential file by the Administrative Commander. These records are subject to be viewed by other law enforcement agencies when requested and a properly executed release form is received from the subject of the records. A copy of the release form shall be placed in the file.
- I. Photographs of Sworn Officers shall not be released by the department to any organization or media outlet, nor shall it be posted on any department website, or in a publicly displayed department yearbook or photograph, unless the officer has given his or her consent or signed a release to that effect. Exceptions to this prohibition include:
 - 1. If the officer is charged by indictment or information;
 - 2. If the officer's photograph is introduced in judicial proceedings; or
 - 3. Photographs displayed on officer's Identification Cards are not considered released as they are intended for internal use or to properly identify an officer, if required.