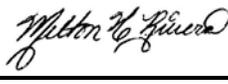


	<b>PALACIOS POLICE DEPARTMENT</b>	
	<b>Policy 4.1 Hiring and Selection</b>	
	<b>Effective Date: 1/04/2021</b>	<b>Replaces: 02/07/2006</b>
	<b>Approved:</b>  <u>Milton Rivera, Chief of Police</u>	
	<b>Reference:</b> 2.23, 3.17, 4.01, 4.02, 4.03, and 4.04.	

## POLICY

The Palacios 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 other 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.

### I. PURPOSE

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

### II. 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, among which are honesty, integrity, truthfulness, obedience to the oath of office and the department's code of ethics, respect for authority, and respect for the rights of others.

### III. QUALIFICATIONS FOR EMPLOYMENT

- A. The minimum qualifications that all applicants for the position of police officer must meet include the following:
  1. Age of 21.
  2. High school graduation or GED completion.
  3. Pass a written examination. (The written exam includes a comprehensive reading/writing component. The applicant must achieve a score of not less than the minimum score established for the test. The department shall maintain examination results.)

4. Pass a background investigation that 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 any ex-spouse.
5. Pass an oral interview.
6. Pass a physical examination, psychological screening, and a drug test.
7. Be of good moral character.

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

8. Any other standards set by law or by policy of the Texas Commission on Law Enforcement.

## **V. DISQUALIFIERS FOR EMPLOYMENT**

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

- A. Conviction or admission of any felony, or a conviction of a Class A misdemeanor.
- B. Conviction of any Class B misdemeanor in the past ten years.
- C. Conviction or admission of marijuana use within the past two years, or of any other illegal drug within the past five years.
- D. Conviction of family violence.
- E. Dishonorable discharge from the military.

## **VI. APPLICATION PROCESS FOR SWORN OFFICERS**

A. The applicant must do the following:

1. Complete a written city application and a personal history statement and submit them to the Chief of Police.
2. Submit a copy of each of the following documents:

- a. Birth certificate
  - b. Driver's license
  - c. High school diploma or transcript, or GED certificate
  - d. Credit report dated no more than 90 days prior
  - e. Any college transcripts
  - f. Copy of military discharge papers, if any.
3. Arrange with the Chief of Police to take the written test and to appear for other steps in the selection process.

## **VII. SELECTION PROCESS FOR SWORN OFFICERS** (TBP: 4.01)

- A. The Chief of Police or designee will review the application and documents for basic qualifications. If basic qualifications appear to be met and an opening exists, the Chief assigns an officer to conduct a preliminary review of the candidate and schedules appropriate testing. If no opening exists, the application will be placed in a file to await an opening. When an opening occurs, the applicant will be contacted to determine if he/she is still interested in the position.
- B. An employee will be assigned to conduct a preliminary review of the applicant. He/she shall perform the following:
1. Obtain the applicant's driving record from DPS.
  2. Have the applicant sign 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/TCIC criminal history check.
  5. Administer the written examination.
  6. If more than one applicant is given the written 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 the Chief of Police and two other departmental members. The candidate is graded on an applicant interview sheet and either passes or fails the interview.
  7. 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 needs of the department and conduct a detailed interview with the candidate. If the Chief approves, he/she will issue the candidate a conditional offer of employment. A copy will be given to the applicant. The offer of employment is conditional upon the whether the candidate passes the following:
1. An in-depth background investigation. NOTE: The background check shall specifically include contact with all former law enforcement employers. (TBP: 3.17) Also, see A.4 above.
  2. A physical exam
  3. A drug screens
  4. A psychological screen.

D. After a conditional offer of employment is made, the officer assigned to conduct the background investigation may question the applicant regarding his or her prior medical problems, including any worker's compensation claims and conditions. The officer will then conduct a detailed background investigation in accordance with the Background Investigation Manual. He/she shall also schedule the applicant for any further testing. (TBP: 4.03)

E. The officer conducting the background investigation shall have had training in conducting background investigations or shall conduct the background in compliance with the Background Investigation Manual.

F. Upon completion of all testing and the background investigation, the applicant's file will be returned to the Chief of Police for the final decision.

G. 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 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.

I. Unsuccessful applicants who do not have permanent disqualifiers may re-apply after one year from the date of the last application if a vacancy exists.

J. Lateral entry.

1. A licensed officer from another Texas agency must meet the same criteria set forth above.
2. The employee assigned to investigate the applicant shall ensure that an applicant with prior law-enforcement experience has not had his or her licenses suspended or revoked. A query will be made to the Texas Commission on Law Enforcement 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 PERSONNEL**

A. The applicant must do the following for all positions within the police department:

1. Complete a written city application and personal history statement and submit them to the Chief of Police.
2. Copies of the following documents will also be submitted:

- a. Birth certificate
  - b. Driver's license
  - c. High school diploma or transcript, or GED certificate
  - d. Any college transcripts
  - e. Copy of military discharge papers, if any.
3. Arrange with the Chief of Police to take any written test if required and to appear for other selection process steps.

**IX. SELECTION PROCESS FOR NON-SWORN PERSONNEL (TBP: 4.01)**

- A. The Chief of Police will review the application and documents for basic qualifications. If basic qualifications appear to be met and an opening exists, the Chief assigns an officer to conduct a preliminary review of the candidate. If no opening exists, the application will be placed in a file until there is an opening. When an opening occurs, the applicant may be contacted to determine if he/she is 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 DPS
  2. Have the applicant sign 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/TCIC criminal history check
  5. Conduct any job-specific testing required, such as a typing test for communications.
- C. The Chief of Police will meet with the applicant who best meets the needs of the department and conduct 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/she will issue the candidate a conditional offer of employment. A copy will be given to the applicant. The offer of employment is conditional upon the candidate passing:
1. A background investigation
  2. A physical
  3. A drug screen
- D. After a conditional offer of employment is made, the officer assigned to conduct the background investigation may gain additional information from the applicant regarding his or her prior medical problems including any worker's compensation claims and conditions. The officer will then conduct a detailed background investigation in accordance with the Background Investigation Manual. He/she shall also schedule the applicant for the necessary medical testing. (TBP: 4.03)

- E. The officer conducting the background investigation shall have had training in conducting background investigations or shall conduct the background in compliance with the Background Investigation Manual. (TBP: 3.17)
- F. Upon completion of all testing and the background investigation, the applicant's file will be returned to the Chief of Police for the final decision.
- 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 are sealed in an envelope in this file, which is confidential. All TCOLE required documents are maintained in this file and must be secured with access limited to designated personnel. (TBP: 2.23, 4.04)
- B. The Chief of Police maintains and controls all personnel records. The department complies with the records retention schedule set by state law and city policy. (TBP: 4.04)
- C. Employees may review their records at any reasonable time upon request. The Chief may release a copy of a record from file upon obtaining 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.
- E. If the Chief deems it necessary to include derogatory information 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. Probationary employees have no right of protest in such matters.
- F. Personnel records are the 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. The Chief 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 Chief of Police. These records can be released to other law enforcement agencies when requested and a properly executed release form is obtained from the subject of the records. (TBP: 4.04)
- I. Photographs of sworn officers shall not be released by the department to any organization or media outlet, nor shall any 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 is a party in an arbitration process.
  3. If the officer's photograph is introduced in judicial proceedings.
- NOTE: 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.