

# THURMONT POLICE DEPARTMENT

<b>GENERAL ORDER</b>	Date Issued: <b>January 18, 2018</b>	Effective Date: <i>January 18, 2018</i>	Order No: <b>Chapter 25.0</b>
Authority: Chief of Police <i>Gregory L. Eyer</i>		Manual Page No:	
Subject: <b>POLICE OFFICER SELECTION</b>		Replaces Page No:	
Accreditation Standard: <b>Chapter 32</b>	Distribution: <b>ALL</b>	Amends: Order dated 7/1/2017	Number of Pages: <b>10</b>
Related Documents:		Rescinds:	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

## I. PURPOSE:

To establish guidelines for the selection of sworn personnel - **POLICE OFFICER**.

## II. POLICY:

It is the policy of the Thurmont Police Department to maintain an efficient, effective and objective selection process for prospective sworn officers. The goal of the selection process is to choose the highest caliber personnel who possess the skills, knowledge, and abilities necessary for success in the field of Law Enforcement. The components and procedures utilized in the selection process shall comply with state statutes, EOE regulations and Town ordinances and personnel rules. Selection shall be conducted in a manner that is fair, consistent and non-discriminatory.

## III. DEFINITIONS:

EOE: Equal Opportunity Employment.

M.P.C.T.C.: Maryland Police Correctional Training Commission

## IV. OBJECTIVES:

The selection and hiring process, as outlined in this Order and adopted by the Thurmont Police Department, has been designated to meet the following objectives:

- A. To attract and hire the most qualified applicants available;
- B. To provide a realistic, nondiscriminatory, comprehensive selection and hiring process in which individuals desiring employment with the Department will be able to participate;
- C. The scoring methods and criteria for all elements of the process are administered, scored, evaluated, and interpreted in a uniform manner;
- D. To ensure the applicants understand the qualifications required for employment with the Department;
- E. To ensure that police personnel involved in the selection and hiring process understand their duties and responsibilities as members of the agency; and
- F. To provide a process which fulfills the mandates of the “American with Disabilities Act of 1990” (ADA) and Title VII of the Civil Rights Act of 1964.

## **V. PROCEDURE: SELECTION**

### **A. PROFESSIONAL AND LEGAL REQUIREMENTS:**

1. Department Role: The Chief of Police is responsible for selecting sworn personnel. The authority and responsibility for administering the Department's role in the selection process are vested in the Chief of Police. The elements of the selection process which remain the primary responsibility of the department include the following:
  - a. Establishing the levels of skills, knowledge, and abilities and job descriptions for entry level positions;
  - b. Conducting applicant background investigations and fingerprinting eligible candidates as directed by the Chief of Police.
  - c. Monitoring and evaluating employee progress during the probationary period ensuring that the methods used for the evaluations of probationary sworn members employ valid, useful, and nondiscriminatory practices; and
  - d. Making final recommendations to the Board of Commissioners concerning employee tenure.

## B. COMPONENTS OF THE SELECTION PROCESS

1. The selection process shall have the combined effect of components and procedures leading to the final employment decision. The components of the Department's selection process include the following:
  - a. An applicant seeking employment with the Department must complete an Application for Employment and submit it to the Office of the Chief.
  - b. Orientation: a briefing by members of the Department setting forth a brief history and overview of the Town of Thurmont, and the Police Department, and outline of the components of the selection process, the schedule of such events, personal statements by members of the Department, and a question and answer period.
  - c. Preliminary Character and Background Investigation: a review of the application and the required documents to verify the candidates qualifying credentials, and review criminal records (if any), and driving history.
  - d. Physical Agility Test: the phases of the examination are designed to determine a candidate's strength, endurance, and coordination, and will conform to the "Cooper Institute" Standards for physical fitness, as published by the Department.
  - e. Initial Interview: Each candidate for an entry-level position, who has successfully passed all prior elements of the selection process, shall be interviewed by the Chief of Police, Departmental Interview Board, or designee.
    - i. A Departmental Interview Board will be comprised of a diverse group of a sworn personnel approved by the Chief of Police.
    - ii. The Board will consider the applicant's ability to reason and to arrive at logical conclusions while functioning under stress. They will also judge the applicant on his/her career preparation, job perception and expectations, problem analysis and judgment, interpersonal skills, integrity, oral communication, self-confidence, and appearance and demeanor.
    - iii. The interview is structured so that each candidate is asked identical questions. No follow up questions are allowed to ensure the uniformity of the interview.
    - iv. At the completion of the interview, the candidate will receive a numerical score by each member if the Board individually, based on the responses to the questions asked during the interview. The Board members will then discuss their scores and come to a consensus. The consensus score will be the total

score. The total score will be used to determine the candidate's position within the applicant pool. Candidates who are not selected to move forward in the process will be notified in writing of the fact.

- f. Detailed Character and Background Investigation: a detailed background investigation of each qualified candidate will be conducted by Department investigators, trained in the collection of required information, prior to appointment. The background investigation will be conducted in conformance with the standards set forth by MPCTC which include: verification of the qualifying credentials, a review of any criminal record, review of the Personal History Questionnaire, verification of at least three (3) personal references, employment history, educational background, credit history, military records, driving record, neighborhood and community standing and service, and such other data and information pertinent to a proper review and analysis of the candidate. A final written report summarizing the findings of the investigation will be prepared by the background investigator and included in the candidate's file. A record of each candidate's background investigation will be maintained as dictated by the records retention schedule.
- g. Polygraph Device Deceptive Test: Polygraph examinations will be used as an investigative aid to the employment selection process. Candidates for all positions within the Department, to include civilians, as well as officers, will be required to submit to a pre-employment polygraph examination. Only individuals trained at an accredited school in the use of the polygraph will administer examinations.
  - i. Each candidate will be provided with a list of areas/questions that will be covered in the polygraph prior to the examination.
  - ii. The polygraph examiner will have the discretion to not administer a polygraph examination to a scheduled candidate if the candidate reveals, during the pre-test interview, any previously undisclosed, potentially disqualifying event(s). These events will include, but not limited to, drug usage, involvement in serious crimes, etc. The polygraph examiner will; however, conduct a complete pre-test interview with the candidate.
    - Before deciding not to administer the polygraph examination, the polygraph examiner will take into consideration the seriousness of the disclosed event(s), the position the candidate is applying for, and the likelihood the involvement will exclude the candidate from the hiring process.

- The polygraph examiner does not have the authority to disqualify any candidate from the employment process. In the event the polygraph is not conducted based on such disclosure, the polygraph examiner will inform the applicant the test will be postponed until the background investigator has an opportunity to address the issue(s) that was disclosed. The polygraph examiner will forward a report to the background investigator detailing why the polygraph examination was not conducted and information the candidate disclosed. The polygraph examination will be rescheduled at the discretion of the background investigator.
  - In the event that the results of a candidate's polygraph examination are deemed inconclusive or deceptive, the polygraph examiner will debrief the candidate (post-test interview) and attempt to determine the area that has caused the difficulty. A second polygraph will then be administered in an attempt to clear up the matter. Failure during a second polygraph examination will trigger another interview in an attempt to uncover the source of the problem. The polygraph will not be used as the sole determining factor in the elimination of a candidate from further consideration. In all cases, the polygraph examiner will thoroughly document the reason for the polygraph failure.
- h. Chief of Police Interview: Each candidate for an entry-level position, who has successfully passed all prior elements of the selection process, shall submit him/herself for a final interview before the Chief of Police. The Chief of Police will make the final decision on employment for all candidates.
- i. Conditional Offer of Employment: Each candidate who has successfully completed the prior elements of the selection process will be given a "conditional offer" of employment. This offer will stress that all candidates must successfully complete the remaining components of the selection process and that a "final offer of employment" will be made to the most qualified candidates based on the number of vacancies that the Department is authorized to fill.
- j. Medical Examination: A medical examination of each Department candidate, including civilians, will be conducted by physicians designated by the Town of Thurmont, prior to appointment to probationary status, using job related, useful, and non-discriminatory procedures. The purpose of the examination is to reveal any medical problems which may inhibit work performance or contribute to work related disabilities.
- i. Medical examinations will be conducted as part of the selection process after

a conditional offer of employment has been made.

ii. The following examinations are generally performed for all candidates:

- Medical history
- Complete physical examination
- Blood profile
- EKG
- Hepatitis Vaccine
- Vision test
- Hearing test
- Nose, throat, and mouth examinations
- Drug screening

k. Psychological Examination: Each candidate for the entry-level position, who has received a conditional offer of employment, shall submit him/herself for a psychological examination to be given by a certified psychologist authorized by the Town of Thurmont.

- i. The psychologist performs a battery of written psychological tests and conducts a personal interview with each candidate to assess his/her ability to deal with the stress of a law enforcement officer's duties. During the test and interview, an attempt will be made to identify and disqualify those individuals who possess characteristics and attitudes that are undesirable in the profession of law enforcement. Some characteristics are, but certainly are not limited to, racial, ethnic or religious prejudice and propensity to use unnecessary force.
- ii. The results of the psychological examination and interview will be treated as confidential and shall be maintained in a file separate from all other personnel and medical files, and will be retained indefinitely. Examination or review of these files by any individual must be only with explicit permission of the Chief of Police.

- l. Appointment: As required by the Town of Thurmont's Charter, the Chief of Police will submit the names of recommended candidates to the Mayor and Board of Commissioners for their approval and appointment as Police Officers for the Town of Thurmont.
  
- m. Probation: A person appointed to the entry level rank in the Department shall be on probation for a period of (24) twenty-four months from the date of hire. During the probationary period the appointee may be dismissed at any time by the Chief of Police without prior notice or hearing, on the recommendation of the Command Staff, stating that, in their opinion, it is not in the best interests of the Department to continue the employment of the probationary appointee. No such recommendation shall be submitted unless the Chief shall have first given the probationary appointee at least (3) three days written notice of the intent of the Chief to submit such a recommendation, a summary of the reasons, and a reasonable opportunity to be heard by the Chief concerning the probationary appointee's version of the facts and circumstances relevant to the recommendation. The recommendation of the Chief of Police shall be accompanied by a report setting forth the Chief's ratings, comments in support of recommendation, and the details of the notice and hearing, if one was requested, given to the probationary employee by the Chief. Said report shall be confidential and need not be made available to the probationary employee. The decision of the Chief of Police shall be final.
  - i. Probationary Training Expense Reimbursement
    - New hires that resign their employment and transfer to another law enforcement agency prior to completing (60) months of services from the date of hire shall pay back, on a pro rata basis, the costs of training and equipment as outlined in the employee's written agreement.
  - ii. Entry Level officers with satisfactory evaluations will be eligible for OFC designation (2) years from date of hire.
  - iii. Employees hired as Lateral Police Officers will have a (12) twelve month probationary period from date of hire, and with satisfactory evaluations will be eligible for OFC designation (1) one year from date of hire.
  
- n. Personal History Questionnaire: Each candidate will be required to complete a Personal History Questionnaire. The background investigator will review the questionnaire for information that may disqualify the candidate from further consideration. Automatic disqualification from the selection and hiring process will be for:

- i. False information on any document supplied to or filed with the Department during any phase of the selection process (including making a false statement of material fact, intentionally omitting a material fact, or the practice or attempt to practice any form of deception or fraud).
- ii. Conviction of any felony or for any domestic violence offense (including, but not limited to, Assault, Battery, Telephone Misuse, False Imprisonment, Stalking, Harassment, etc.)
- iii. Admitted involvement in any felonious/violent criminal activity for which formal criminal charges have not been brought.
- iv. Termination from another law enforcement agency.
- v. Illegal drug use which fails to meet the standards of the Maryland Police Corrections Training Commission (MPCTC) Rules and Regulations.
- vi. Any use of any hallucinogenic drugs, including mushrooms.
- vii. Conviction of any violation under the Maryland Motor Vehicle Law, Section 21-902 within five (5) years of the commencement of the selection process. (This includes Probation Before Judgment dispositions).
- viii. Any admitted criminal activity.
- ix. Discharge from military service with less than “General Under Honorable Conditions.”

The Chief of Police will cause any individual who has been automatically disqualified from continuing in the selection process to be notified, in writing, of that fact.

Documentation of this notification, as well as the reason for the disqualification will be attached to the candidate’s application form.

- o. Record Keeping:

- i. An applicant will be notified in writing of his/her status in the selection process.
- ii. Copies of all correspondence sent to a candidate will become part of the applicant's file.
- iii. All records of candidates will be maintained as dictated by the Records Retention schedule securely, locked in storage cabinets in the Office of the Administrative Assistant to the Chief.
- iv. Release of information will require a signed release by the employee or Court Order with review and approval by the Department Legal representatives.

**ATTACHMENTS :**

**DOCUMENT DATES:**

*Amended Date: January 18, 2018*

*Amended by: Lt. P.A. Droneburg*

*Review Date:*

*Review Date:*

*Review Date:*

*Rescinds:*

*Order Written By: Lieutenant Shawn R. Tyler*

*Order Edited and Approved By: Chief Gregory L. Eyer*

*Accreditation Standards Included in this Order*

*CHAPTER 32 Selection*