



Town of Lexington

Police Department

Subject: Recruiting and Selection of
Police Officers

Referenced: 31.2.3; 31.3.1(a); 31.3.1(b); 31.3.1(c); 31.3.1(d);
31.3.4; 32.1.1; 32.1.4(a); 32.1.4(b); 32.1.4(c); 32.1.5; 32.1.6;
32.1.7; **32.2.1; 32.2.2; 32.2.3; 32.2.7; 32.2.8;** 32.2.9; 32.2.10

Effective Date:
11-1-2011

Review Date:
Annually

By Order of: Mark J. Corr, Chief of Police

Policy & Procedure

31A

GENERAL CONSIDERATIONS AND GUIDELINES

The selection of police officers from a field of potential candidates is a very important task affecting not only the Lexington Police Department, but the community as well. Candidates who possess intelligence, physical ability and proper temperament must be identified and screened for further consideration. A poorly selected candidate can prove to be a burden to the department for an entire generation. Candidates must have the proper attitude and aptitude or a situation exists where they expose themselves and the municipality to unnecessary civil liability. A poor candidate may also become a burden to both labor and management as a disciplinary problem, and may negatively affect the morale of the entire agency.

It is imperative that the recruitment and selection process attract desirable candidates and that the process be fundamentally fair and in compliance with federal, state and local law.

It is the policy of The Lexington Police Department to:

1. Select the most qualified candidates for appointment as sworn police officers;
2. Maintain an efficient, effective, and fair selection process that will result in the appointment of those individuals who possess the best skills, knowledge, temperament, and abilities to police our community;
3. Strive to ensure that all hiring practices will be formulated and conducted in a manner which will prevent discrimination and ensure equal access for all people;

31A Recruiting and Selection of Police Officers

4. Base selection criteria solely on the individual eligibility and merit or fitness of applicants, without regard to race, color, creed, religion, ancestry, national origin, age, disability, sex, marital status, affect ional or sexual preferences or political or union affiliation. See also department policy 31B - ***Equal Employment Opportunity and Affirmative Action Statement***. [31.2.3]

DEFINITIONS

1. **Appointing Authority:** The Town Manager is the appointing authority.
2. **Background Investigators:** A group of employees and/or other persons designated by the Chief to evaluate and interview candidates for employment, and make recommendations to the Chief regarding selection.
3. **MPTC:** Municipal Police Training Committee.
4. **HRD:** Human Resources Division of the Commonwealth of Massachusetts.
5. **Civil Service:** Chapter 31 of the Massachusetts General Law & the Personnel Administration Rules which govern the advertisement, application, selection, and hiring processes for job vacancies.
6. **Civil Service employee:** A person appointed to a Civil Service position on a temporary or permanent basis.
7. **PAT:** Physical Ability Test.

PROCEDURES [32.1.1]

- A. Recruitment [31.1.1]
 1. This Department shall actively participate in recruitment for qualified persons to fill sworn and non-sworn vacancies.
 2. Official job announcements and recruitment notices shall include: [31.3.1(a)]
 - a. A description of the duties and responsibilities of the position;
 - b. Requisite skills;
 - c. Minimum educational requirements;
 - d. Other minimum qualifications or requirements;
 - e. Official application filing deadlines; [31.3.1(d)] and
 - f. Equal Opportunity Employer notice. [31.3.1(c)]

31A Recruiting and Selection of Police Officers

3. Recruitment activities of this Department may include advertising or posting notices of vacant positions or entrance examinations: [31.3.1(b)]
 - a. In local newspapers;
 - b. On local radio stations;
 - c. On local cable television venues;
 - d. At colleges;
 - e. At criminal justice training academies; and
 - f. In the CJIS Jobs file.

4. Every employee should be actively involved in identifying qualified individuals who would do well in the Civil Service hiring system. Persons who express an interest, or are identified as potential employees, should be referred to the Captain of Administration, who is responsible for regular recruitment activities. Department sponsored recruitment should be conducted on an on-going basis, but is particularly important when openings occur and prior to the holding of an entrance examination. The Department is particularly interested in individuals who can help diversify the agency or have particular skills (such as language skills) that will improve Department service to the community.

5. The Captain of Administration, or designee, will have the authority and responsibility for conducting and managing the day-to-day recruitment operations and activities of the Department. The Captain will:
 - a. Keep and maintain a file on all relevant recruiting and selection materials, and ensure that these materials are disseminated throughout the community;
 - b. Apprise members of the Department regarding the current need for recruitment, and request their participation by suggesting they actively seek qualified individuals and encourage them to apply for lateral transfer positions or take the entrance exam;
 - c. Contact community organizations through written or verbal communication to encourage them to actively seek qualified applicants to take the entrance exam. Provide these organizations with recruitment brochures or other similar means for dissemination purposes;
 - d. Ensure that individuals assigned to recruitment activities are knowledgeable in personnel matters, agency operations, career opportunities, and Equal Employment Opportunity issues as they affect the management and operations of the department;
 - e. Encourage students in the high schools to consider law enforcement as a career and participate in school-sponsored job shadow days and ride-alongs;

31A Recruiting and Selection of Police Officers

- f. Advertise lateral transfer positions. (Only permanent civil service police officers from Massachusetts are eligible for transfer under the provisions of Chapter 31, Section 35 of Massachusetts General Laws. Applicants must have satisfactorily completed a prescribed course of study approved by the Municipal Police Training Committee (MPTC) or have a permanent MPTC waiver. All candidates will be required to successfully complete a comprehensive background investigation (See also Department Policy **32B – Background Investigations**).
 6. The process of recruitment and selection of sworn personnel for the Department is largely determined by Massachusetts General Law as administered by the Massachusetts Division of Human Resources (Civil Service). Advertising, testing, and establishment of candidate lists are functions of Civil Service.
 7. This Department may hire sworn police officers, under M.G.L. c. 31 and the rules of the Massachusetts HRD, from a list of candidates provided by HRD upon the request of the appointing authority, or as transfer officers from other Civil Service departments. The list may contain names established from:
 - a. Open competitive entrance examinations;
 - b. Reemployment list – Civil Service employees separated from positions in other departments due to lack of work, lack of money or abolition of position.
 8. If a request for a candidate list is made, names shall be certified from the reemployment list if Civil Service has established such a list pursuant to M.G.L. c. 31, § 40, and then from the list established from the open competitive examination.
 9. A lateral transfer of a police officer to this Department may be made with the consent of the appointing authority from each community, as approved by HRD.ⁱ
- B. Application Process
1. For transfer applicants or other positions where requested, the resume and cover letter are the first step in the screening process. The background investigators must review the resume and ensure that the applicant meets all of the minimum standards for the open position. Candidates who meet at least the minimum standards may be invited to apply. The background investigators will respond to each applicant. Applicants who do not meet the minimum requirements will receive a letter explaining that fact. [32.1.5]

31A Recruiting and Selection of Police Officers

2. All candidates for employment must complete and submit an employment application package provided by the Department. The application shall include a letter identifying:
 - a. An explanation of all elements of the selection process; [32.1.4(a)]
 - b. The expected duration of the process; [32.1.4(b)] and
 - c. The Department policy on reapplication in the event that the candidate is not selected. [32.1.4(c)]
 - d. The applicant will also be required to produce the following documents:
 - i. A release form completed and signed by the applicant in order to conduct a background investigation;
 - ii. A credit report;
 - iii. College transcripts;
 - iv. A copy of the applicant's Massachusetts Driver's License;
 - v. Police Basic Recruit Training Certificate, if applicable;
 - vi. DD 214 if a veteran;
 - vii. Proof of citizenship; and
 - viii. Fingerprints (taken at police station).
3. The application often provides the first impression of the candidate to background investigators. At a minimum, investigators will consider:
 - a. Whether the application was submitted in a timely fashion;
 - b. Whether the applicant meets minimum standards for training, education, age, etc.;
 - c. The neatness and professional appearance of the application, e.g., handwritten v. typed;
 - d. Spelling, grammar, writing skills, and proficiency in the use of the English language; and
 - e. Whether the application is complete, with all required documents submitted or accounted for.
4. The content of the application should be reviewed in detail. Areas that are reasons for concern or which make the candidate more desirable should be noted.
5. Intentional false, misleading, or exaggerated information will be grounds for rejection.
6. Minor omissions or deficiencies shall not be grounds for automatic rejection. [31.3.4]

C. Applicant Screening

1. Applicants accepted for further consideration may be notified in writing, verbally, or both.

31A Recruiting and Selection of Police Officers

2. The investigators shall review records readily available to further screen transfer applicants and/or candidates from a list established by entrance exam.
3. Records checks include:
 - a. Local records check;
 - b. Board of Probation Record;
 - c. Interstate Identification Index (III);
 - d. Fingerprint check;
 - e. Driver history;
 - f. My Space, Face Book, or other social or personal web sites; and
 - g. Search of the candidate's name on an Internet search engine.

Note: No person convicted of a felony may be appointed as a police officer.ⁱⁱ Nor shall anyone convicted of domestic violence, as they are permanently disqualified from possessing a firearm or ammunition.

4. Applicants who meet requirements and are not otherwise disqualified should be invited to submit an application for employment.
5. Applicants who are not selected for further consideration shall be notified both verbally as well as in writing within thirty (30) days of that determination. [32.1.5]
6. All documents provided to investigators and those produced during the selection process shall be considered confidential and not circulated beyond investigators and the office of the Chief of Police or his/her designee. Records shall be stored in a secure area when not being used. [32.1.7]
7. Selection Material
 - a. All records of the selection process for candidates selected to be hired shall be included as part of the employee's personnel file. [32.2.3]
 - b. All records of the selection process for candidates not selected shall be stored by the Captain of Administration for two years after the vacancy is filled or the position cancelled and, thereafter, may be archived or destroyed in a manner which prevents disclosure of the information, in compliance with the Department policy **82A - Records Management and Dissemination**ⁱⁱⁱ [32.1.6] and in compliance with Massachusetts Public Records Law.

31A Recruiting and Selection of Police Officers

D. Re-application

1. Candidates who withdraw during the evaluation process may be considered for future positions.
2. Candidates who are screened out for failing to meet minimum qualifications or are medically disqualified may be considered for future positions provided that they meet the minimum qualifications at the time of re-application.
3. Candidates for police officer positions who fail to pass the PAT test (Physical Ability Test) may be re-tested or may reapply when another position becomes available.
4. Candidates who are rejected for intentional false, misleading, or exaggerated information will not be reconsidered for future positions.

E. Background Investigation

1. A background investigation shall be conducted for each applicant approved for further consideration.
 - a. An employee designated by the Chief shall conduct the investigation.
 - b. All background investigators shall be properly trained in background investigation techniques prior to conducting such investigations. Copy of proof of training shall be kept in said investigator's training file. [32.2.2]
2. The investigators shall prepare a report for the Chief of Police, to include, but not limited to:
 - a. Verification of the candidate's qualifying credentials (these credentials may include, but are not limited to a drivers license or high school diploma etc.); [32.2.1(a)]
 - b. Review of any criminal record or negative contacts with police: [32.2.1(b)]
 - i. Candidates with a history of perpetrating violence (including elder abuse, child abuse, sexual assault, stalking, or domestic violence) will be screened out of the hiring process;
 - ii. For further information, see the Department policy regarding Domestic Violence by Police Employees; Policy **41E – Domestic Violence**.
 - c. Verification of at least three personal references; [32.2.1(c)]

31A Recruiting and Selection of Police Officers

- d. Investigation of any areas of concern raised by the background investigators;
 - e. Appearance of excessive use of sick time or patterns of sick time taken in conjunction with days off, or on weekends;
 - f. Appearance of excessive tardiness;
 - g. Appearance of excessive workman's compensation or injured on duty claims;
 - h. Excessive use of force complaints;
 - i. Character or integrity issues;
 - j. Difficulty in getting along with other employees; and
 - k. Sexual/harassment complaints.
3. Candidates who will have access to CJIS systems must be fingerprinted and conduct a national fingerprint based records check. Such employees include:^{iv}
- a. Police Officers;
 - b. Dispatchers;
 - c. Records Clerks; and
 - d. Computer network administrators and maintenance personnel.
4. Persons convicted of a felony cannot be police officers or access the Criminal Justice Information System (CJIS) system. The appointing authority may petition CJIS for a review of the felony record for authorization for access.^v
5. Candidates who are found to have intentionally submitted false information in the application package will not be considered further.
6. The background investigators will review the report and determine which candidates should be considered further.
- a. Those who are still under consideration will be invited to interview with the Chief of Police or a designee(s).
 - b. Candidates who are screened out shall be notified in writing.
[32.1.5]

F. Interviews

1. The background investigators shall conduct interviews of candidates. A standardized list of questions for all candidates will provide the format for the interview. Follow-up questions and inquiries into issues raised during the background investigation should also be asked as appropriate. The process should include:

31A Recruiting and Selection of Police Officers

- a. A general question about the candidate's background to put the candidate at ease and provide him/her with an opportunity to tell more about him/herself;
 - b. A question or scenario to test the candidate's integrity;
 - c. An opportunity to provide any information that was not asked, but the candidate deems important; and
 - d. An opportunity to ask questions.
2. Candidates shall be clearly informed of the Department's position of zero tolerance concerning domestic violence by Department employees. For further information, see the Department policy on Domestic Violence by Police Employees. (Policy **41E – Domestic Violence**).

G. Final Evaluations

1. The background investigators will evaluate the candidates and prepare a report for the Chief of Police detailing recommendations for further consideration.
2. The Chief of Police will submit to the Town Manager (the appointing authority) recommendations for hiring. The Town Manager may then proffer conditional offers of employment, in writing, before further evaluation is conducted.
3. It is unlawful to require a polygraph as a condition of employment or continued employment.^{vi}
4. All remaining candidates shall undergo a medical evaluation (prior to appointment to probationary status) conducted by a physician selected by the Department to certify the general health of the candidate. The physician may have specialization in industrial medicine. The evaluation should include screening for controlled substances and the ability to physically perform tasks, which have been determined to be critical job functions. [32.2.7]
5. All candidates shall undergo an emotional stability and psychological fitness examination by a qualified psychologist or psychiatrist. [32.2.8]
 - a. The psychological screening of all viable candidates will include indicators of abusive tendencies.
 - b. This Department will strongly consider a no-hire decision in the case of a candidate with tendencies indicative of abusive behavior.

31A Recruiting and Selection of Police Officers

6. Reports of physical and psychological testing shall be considered confidential medical records. For candidates hired by the Department, these records shall become part of the employee's medical personnel records. For candidates not selected, the records will be retained with the candidates' other selection process records. [32.2.9]

H. Sworn - Pre-Academy Screening

1. All candidates selected for employment as sworn officers who have not completed a basic recruit municipal police-training academy must complete the Human Resources Division physical agility test (PAT) prior to enrollment. A "waiver" may be obtained from the MPTC for those that have completed equivalent academies in other states.
2. Trained candidates who were not previously civil service police officers must also pass the Human Resources Division Physical Agility Test.

I. Training

1. Sworn Officer Candidates

- a. Police Academy Training: Candidates selected for employment must meet training requirements as specified in M.G.L. c. 41, § 96B, and Department policy **33A - Training and Career Development**.
- b. Upon successful completion of basic recruit training, new officers must complete a one-year probation period which starts at the completion of training. [32.2.10]

2. Non-Sworn Candidates

- a. Candidates for non-sworn positions shall undergo orientation and training within the agency. See Department policy **33A - Training and Career Development**.
- b. The new employees must successfully complete a six-month probationary period.

ⁱ M.G.L. c. 31, §35.

ⁱⁱ M.G.L. c. 41, §96A.

ⁱⁱⁱ Administration and Personnel Disposal Schedule, DS-23-89, Series Number 23.44, 29 CFR 1602.31.

^{iv} 4.51.b CJIS Security Policy version 4.4, April 2007.

^v M.G.L c. 41, §96A; 4.51.a CJIS Security Policy version 4.4, April 2007.

^{vi} M.G.L. c. 149, §19B.