

 Lexington Police Department	Subject: Recruiting and Selection of Police Officers and Civilian (non-sworn) Employees				Policy Number: <h1>31A</h1>	
	Accreditation Standards: Reference: 16.3.2; 31.1.1; 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; 32.1.7				Effective Date: 07/31/19	
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	Revision Dates:	5/31/20	7/1/21			
By Order of: Michael A. McLean, Chief of Police						

GENERAL CONSIDERATIONS AND GUIDELINES

The selection of police officers and non-sworn Lexington Police Department (“Department”) personnel from a field of potential candidates is a very important task affecting the entire community. It is imperative that the recruitment and selection process attract high caliber candidates and that the process be fundamentally fair and in compliance with federal, state and local law.

The Lexington Police Department is committed to having a diverse and professional police force that reflects the community it serves. The Department will strive to attract candidates from diverse backgrounds and cultures, and will acknowledge education, character and public service in the selection of new officers.

It is the policy of the Lexington Police Department to:

1. Select the most qualified candidates for appointment as sworn police officers and non-sworn positions in the Department;
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; and
3. Engage in hiring practices that are formulated and conducted in a manner which will prevent discrimination and ensure equal access for all people. The Department will avoid advertising, recruiting or screening methods that reflect any one particular demographic. See Department policy **31B - Equal Employment Opportunity and Affirmative Action Statement**. [31.2.3];

The Town of Lexington will select new officers according to the procedures set out below. All members of the Department assigned to the recruitment, testing, vetting, investigation and selection of new officers shall commit themselves to hiring only the finest candidates, and to furthering the Department’s standards of excellence.

Non-sworn personnel will be selected with the policy and procedures promulgated by the Town Manager and the Human Resource Department.

PROCEDURES [32.1.1]

A. 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 of Police to evaluate and interview candidates for employment, and make recommendations to the Chief regarding selection. All background investigators shall be properly trained in background investigation techniques prior to conducting such investigations. Proof of training shall be kept in each investigator's training file. [32.2.2]
3. **MPTC:** Municipal Police Training Committee.
4. **PAT:** Physical Ability Test.

B. RECRUITMENT [31.1.1]

1. The 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)]
3. Recruitment activities for this Department may include advertising or posting notices of vacant positions or entrance examinations: [31.3.1(b)]
 - a. In local newspapers;
 - b. On websites and social media outlets;
 - c. On local radio stations;
 - d. On local cable television venues;
 - e. At colleges;
 - f. At criminal justice training academies; and
 - g. In the Criminal Justice Information Services (CJIS) Jobs file.
4. All members of the Department should be actively involved in identifying qualified individuals interested in joining the Department. Persons who express an interest or are identified as potential candidates, should be referred to the Captain of Administration, who is responsible for regular recruitment activities.

31A – Recruiting and Selection of Police Officers and Civilian Employees

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.

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 updated as necessary and 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 materials 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 and local colleges to consider law enforcement as a career and participate in school or Department sponsored youth academy, Police Explorer and/or Cadet program;
 - f. Advertise lateral transfer positions. 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 Section E, below and Department policy **32B – Background Investigations**).
6. The process of recruitment and selection of sworn and non-sworn personnel for the Department is a shared responsibility with the Town's Human Resource Department. Advertising, testing, and establishment of candidate lists are functions discussed further in this policy. [\[16.3.2\]](#)

C. SELECTION PROCESS

1. The Captain of Administration will coordinate with the Human Resource Director to ensure that the elements of the selection process are administered, scored, evaluated and interpreted in a uniform manner.
 - a. A file will be kept for each candidate who successfully passes both the entrance examination and PAT.

31A – Recruiting and Selection of Police Officers and Civilian Employees

- b. All medical records or related material will be kept separate from selection material in compliance with applicable law.
 - c. The Captain will lead a Selection Team that will include members of the Department (i.e. background investigators) and the Human Resources Director (or designee).
2. An entrance exam will be held every two years or when the Chief of Police, after consultation with the Town Manager or designee, determines that a new list is necessary to fill vacancies or foreseeable vacancies.
3. **Entrance Exam.** The Town will contract with an outside vendor to administer a written examination. The Town will advertise that an exam will be held including the date, time, location and any other requirements for taking the exam.
4. In order to take the entrance exam, a candidate must:
 - a. Be a U.S. Citizen (Birth or naturalization);
 - b. Be at least 21 years of age on or before the date of the exam;
 - c. Possess a high school diploma or G.E.D certificate;
 - d. Possess or have the ability to obtain a valid Massachusetts driver's license;
 - e. Possess or have the ability to obtain and maintain a Massachusetts Class A License to Carry a Firearm (LTC-A);
 - f. Not be a convicted felon, or have convictions from another jurisdiction that would be treated as a felony in the Commonwealth.
 - g. Not smoke and stay a non-smoker. Smoking of tobacco products is prohibited as outlined by Chapter 41, Section 101A of the Massachusetts General Laws.
5. The passing grade of 80 is required in the written examination.
6. The Selection Team will identify candidates (using the highest test scores) who will proceed to the Physical Agility Test (PAT). This group will represent approximately four (4) times the number of potential vacancies.
7. **Physical Agility Test (PAT).** The Town will use a PAT (such as the “New Cooper Age and Gender Base Standards for Law Enforcement”) consistent with other Massachusetts agencies.
8. Candidates who have passed both the entrance exam and the PAT will move forward in the process. The Selection Team will identify top tier candidates giving preference to higher test scores and better physical fitness, and giving due consideration to preferred traits in following areas (in alpha order):
 - a. Education
 - b. Military service
 - c. Prior law enforcement experience
 - d. Prior public service

- e. Residency within the Town of Lexington
- f. Special language proficiency

9. **Background Investigation**

- a. The candidates selected to move forward will meet with Background Investigators for an orientation on the hiring process. Candidates will be given an employment application package and asked to sign an Authorization for Release of Information form. This is required to move forward in the process. The Background Investigators will review the following with each candidate:
 - i. All elements of the selection process; [32.1.4(a)]
 - ii. The expected duration of the process; [32.1.4(b)]; and
 - iii. The Department policy on reapplication in the event the candidate is not selected. [32.1.4(c)]
- b. Along with a completed application, candidates are required to produce the following documents:
 - i. A resume;
 - ii. A credit report;
 - iii. High School or College transcripts;
 - iv. A copy of the candidate's Massachusetts Driver's License;
 - v. Police Basic Recruit Training Certificate, if applicable;
 - vi. Selective Service Documentation; www.selectiveservicenumbers.org
 - vii. If a veteran, a **DD 214 Long form**;
 - viii. If a veteran, a **SF-180 Request Military Records/Non-deleted/no medical**
 - ix. Proof of citizenship; and
 - x. Fingerprints (taken at the police station).
- c. Background Investigators will review resumes and completed applications to ensure that each candidate meets the minimum standards for the open position. Background Investigators will respond to each candidate in writing confirming when an application is complete and whether a candidate meets the minimum requirements. [32.1.5] Candidates will be given a reasonable opportunity to correct errors or omissions in their applications.
- d. The content of the application will be reviewed for accuracy. Areas that are reasons for concern or which make the candidate more desirable will be noted. Intentional false, misleading, or exaggerated information will be grounds for rejection. Minor omissions or deficiencies shall not be grounds for automatic rejection. [31.3.4]
- e. The application often provides the first impression of the candidate to background investigators. As part of their review, investigators will consider:
 - i. Whether the application was submitted in a timely fashion;

31A – Recruiting and Selection of Police Officers and Civilian Employees

- ii. Whether the candidate meets minimum standards for training, education, age, etc.;
 - iii. The neatness and professional appearance of the application;
 - iv. The candidate's spelling, grammar, and written communication skills; and
 - v. Whether the application is accurate and complete, with all required documents.
- f. Candidates failing to complete the application or produce the required documentation within the required time frame will be disqualified from the selection process.
- g. During the initial screening, Background Investigators will run/obtain a Board of Probation (BOP)/criminal history records check, Registry of Motor Vehicles check, and Interstate Identification Index (III) check. If any disqualifying information is found, the candidate will be notified immediately and screened out of the process unless the candidate can provide evidence that a mistake has been made. No person convicted of a felony may be appointed as a police officer.ⁱ Nor shall anyone convicted of domestic violence, as they are permanently disqualified from possessing a firearm or ammunition.
- h. A candidate who fails to pass at any step in the process will be notified in writing as soon as possible.
- i. The background Investigation includes, but not limited to:
- i. Local records check;
 - ii. Personal reference checks;
 - iii. Employment history checks;
 - iv. Fingerprint check; and
 - v. Internet search, including search and review of public social media accounts or personal web sites.
- j. Applicants at this stage who are not selected for further consideration shall be notified in writing within thirty (30) days of that determination. Background Investigators will meet with the candidate upon request. [\[32.1.5\]](#)

10. Confidentiality of Records.

- a. All documents provided to investigators and those produced during the selection process shall be considered confidential and not circulated beyond investigators, the Office of the Chief of Police, and the Human Resource Director, or a designee. Records shall be stored in a secure area when not being used. [\[32.1.7\]](#)
- b. When disposing of documents they shall be destroyed in such a manner as to make them unusable. Paper records and flexible media (CDs and DVDs) shall be shredded. Hard drives and other hard media shall be cleansed of data or destroyed. [\[32.1.7\]](#)

11. Selection Material – Sworn and Non-Sworn

31A – Recruiting and Selection of Police Officers and Civilian Employees

- a. All records of the selection process for appointed candidates shall be included as part of the employee's personnel file, in compliance with the Department policy **82A – Records Management and Dissemination** and in compliance with Massachusetts Public Record Law. [32.2.3]
- b. All records of the selection process for sworn candidates not selected shall be stored by the Captain of Administration for three 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**ⁱⁱ [32.1.6] and in compliance with Massachusetts Public Records Law.
- c. All records of the selection process for civilian candidates not selected shall be stored by the town HRD for three 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.

12. Re-application

- a. Candidates who withdraw during the evaluation process may be considered for future positions.
- b. Candidates who are screened out for failing to meet minimum qualifications or are medically disqualified may be considered for future positions provided they meet the minimum qualifications at the time of re-application.
- c. Candidates for police officer positions who fail to pass the PAT test (Physical Ability Test) may be re-tested given extenuating circumstances approved by the Selection Team.
- d. Candidates who are rejected for intentional false, misleading, or exaggerated information will not be reconsidered for future positions.

13. Background Investigation Report

- a. Background investigators shall prepare a report for the Chief of Police, to include, but not limited to:
 - i. Verification of the candidate's qualifying credentials (these credentials may include, but are not limited to a driver's license or high school diploma etc.); [32.2.1(a)]
 - ii. Review of any criminal record or negative contacts with police: [32.2.1(b)]
 - a) 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;

31A – Recruiting and Selection of Police Officers and Civilian Employees

- b) For further information, see the Department policy regarding Domestic Violence by Police Employees; Department policy **41E – Domestic Violence**
 - iii. Verification of at least three personal references; [\[32.2.1\(c\)\]](#)
 - iv. Investigation of any areas of concern raised by the background investigators including: excessive use of sick time or pattern of sick time use suggesting abuse; excessive tardiness; reported difficulty getting along with supervisors or co-workers or other workplace concerns; use of force complaints; character or integrity issues; and sexual/harassment complaints.
- b. Candidates who will have access to CJIS systems must be fingerprinted for a national fingerprint based records check. Such employees include:^{iv}
 - i. Police Officers;
 - ii. Dispatchers;
 - iii. Records Clerks;
 - iv. Any non-sworn staff member whose duties involve CJIS; and
 - v. Computer network administrators and maintenance personnel.
 - c. 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
 - d. Candidates who are found to have intentionally submitted false information in the application package will not be considered further.
 - e. Candidates who are screened out shall be notified in writing. [\[32.1.5\]](#)

14. Interviews

- a. An Interview will be conducted with each candidate who successfully passes the Screening and Background Investigation phases.
- b. The Chief of Police and/or designee(s) along with the background investigator(s) and the Director of Human Resources or designee, shall conduct interviews of candidates. A standardized list of questions for all candidates will provide the format for the interview and responses will be rated and recorded on a standardized form. Follow-up questions and inquiries into issues raised during the preliminary screening should also be asked, as appropriate. The process should include, but not limited to:
 - i. 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;
 - ii. A question or scenario to test the candidate's integrity;

31A – Recruiting and Selection of Police Officers and Civilian Employees

- iii. An opportunity to provide any information that was not asked, but the candidate deems important; and
 - iv. An opportunity to answer the candidate's questions.
- c. Candidates shall be clearly informed of the Department's position of zero tolerance for untruthfulness, unethical conduct and domestic violence. For further information, see the Department policy on Domestic Violence by Police Employees. (Department policy **41E – Domestic Violence**).

15. Final Selection and Recommendation to the Appointing Authority

- a. The Chief of Police will review and consider the applications and background investigation reports of all interviewed candidates, as well as the feedback and ratings from each candidate's interview.
- b. Prior to making a recommendation, the Chief of Police may request a second round of interviews or candidate meetings using the procedures outlined above.
- c. The Chief of Police will submit to the Town Manager (the appointing authority) recommendations for hiring. The Town Manager may then offer conditional offers of employment, in writing.
- d. It is unlawful to require a polygraph as a condition of employment or continued employment.^{vi}
- e. Candidates who receive a conditional offer of employment shall undergo a medical evaluation 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. [\[32.2.7\]](#)
- f. Candidates who receive a conditional offer of employment shall undergo an emotional stability and psychological fitness examination by a qualified psychologist or psychiatrist. [\[32.2.8\]](#)
 - i. The psychological screening will include indicators of abusive tendencies.
 - ii. The Chief of Police will recommend to the Town Manager rescinding a conditional offer of employment where a candidate with tendencies indicative of abusive behavior or where the psychologist or psychiatrist cannot recommend the person for employment as a police officer.
- g. 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. [\[32.2.9\]](#)

16. Sworn - Pre-Academy Requirements.

- a. The MPTC may establish from time to time additional requirements before attending a police academy. Candidates must satisfactorily complete these requirements as a condition of their employment.

D. 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 field 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.

E. LATERAL TRANSFERS

1. Police Officers from other Massachusetts agencies, who are fully trained through an approved MPTC academy may apply for employment at the Lexington Police Department as a lateral transfer. Candidates from an out-of-state police agency are required by law to be certified by the MPTC to perform the duties of a police officer in Massachusetts.
2. If accepted as a transfer candidate, the entrance examination and PAT will be waived, but the transfer candidate must participate in all other phases of the selection process. Lateral candidates will receive benefits as defined in the collective bargaining agreement with the Lexington Police Association.
3. Lateral candidates are subject to a full background investigation, including a full disclosure of personnel records (including all internal affairs investigations) from any police agency where the candidate was previously employed.
4. If appointed by the Town Manager, the lateral candidate will enter an abbreviated Field Training program and complete one-year of probation upon completion of training.

F. Evaluation of Selection Process

31A – Recruiting and Selection of Police Officers and Civilian Employees

1. The Captain of Administration shall ensure that the Department's selection process for sworn entry-level positions complies with all current and applicable laws, rules, regulations and applicable collective bargaining agreements. To accomplish this, the Captain of Administration shall:
 - a. Keep abreast of all changes in Massachusetts General Law, the rules and regulations of HRD, and the directives of the Department;
 - b. Evaluate and review with the Chief of Police, all elements of the selection process administered by the Department;
 - c. Offer recommendations for change or improvement to the Chief of Police; and
 - d. Revise, or oversee the Accreditation Manager's revision of this policy annually in the Department's policy and procedure manual, as well as corresponding directives on selection, recruitment and promotion to reflect any changes.

ⁱ M.G.L. c. 41, §96A.

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

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.