

RECOMMENDED HIRING PROCEDURES

Although applications and interviews are a necessary and vital part of the hiring process, they do not always accurately represent the applicant's true history or nature. To avoid potentially unsuitable candidates, it is prudent to use established and effective practices to determine who is the most qualified and ethical candidate. By carefully examining his/her background and employment history, the hiring agency is more likely to determine the best candidate for the position and avoid potentially troublesome individuals. A poorly selected candidate who is later found to be unqualified or of poor character, can have an adverse effect on the agency, the public and the law enforcement community. However, when the selection and hiring process is sound it is less likely the agency will be subject to scrutiny or legal action.

Below are some of the suggested elements in the selection process.

1. Research – Establishing Policies and Procedures

Prior to establishing policies and procedures, your agency should research, at a minimum, Georgia statutes and Georgia Peace Officer Standards and Training Council (GPOSTC) requirements for all law enforcement positions (police officers, communications officers, detention officers, etc.) in your agency. In addition, a review of your jurisdiction's human resource standards (if applicable) and an assessment of policies and procedures from progressive law enforcement agencies should be completed. Review samples of application forms, questionnaires, hiring or background documents, and other documentation that will assist in gathering current and/or historical data on potential candidates. After examining these documents, you should be able to create policies and procedure that reflects your agency's needs and goals.

2. Application

Your application and hiring process should be based on the job description and the knowledge, skills, and abilities required of the position. For example, the Official Code of Georgia Annotated (O.C.G.A.) § 35-8-8 requires the minimum age for a sworn officer be 18. However, it is perfectly acceptable for your agency to require a sworn officer to be at least 21 years of age. The information on the candidate's application must meet the requirements for admission to the basic police academy which can be found in the O.C.G.A. § 35-8-8.

3. Waivers for Background Checks

Applicants should be required to complete waivers allowing the agency to perform background checks for criminal and driver histories, credit reports, etc.

To obtain official copies of military service records (DD Form 214 or equivalent, etc.), applicants should complete a SF 180. See Attachment F.

<http://www.archives.gov/veterans/military-service-records/standard-form-180.html>

NOTE: Agencies should not rely on a photocopy of military records provided by the applicant.

Agencies should have a department "personal release of information" form signed and notarized by the candidate that is attached to the SF 180 in order to obtain disclosures by the military.

4. Employment History Mandate

O.C.G.A. § 35-8-8 mandates employment history disclosure from private companies as well as law enforcement agencies. The Employment and Training of Peace Officers statute can be found on the GACP's website at the link provided below. Additionally, there are several forms needed to complete the background check associated with the employment history. The following forms are available for your use:

Link to the Statute info: http://www.gachiefs.com/DeptResrcs_SenateBill95.htm

Forms:

- [Instructions for Eligibility Verification \(I-9 Form\) \(.pdf\)](#)
- [Request Pertaining to Military Records \(.pdf\)](#)
- [Form 1 - Request to employer for employment related information \(Word document\)](#)
- [Form 2 - Applicant release and hold harmless agreement \(Word document\)](#)
- [Form 3 - Notification of right to inspect unfavorable employment](#)

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The law reads, in part, *“Disclosure shall only be required under this subsection if the law enforcement agency’s request is accompanied by a copy of a signed, notarized statement from the applicant, candidate, or peace officer releasing and holding harmless such employer from any and all liability for disclosing complete and accurate information to the law enforcement agency.”*

NOTE: Requests to private employers may not be honored by out-of-state companies.

5. Questionnaire

In addition to the application form, candidates should be required to complete a substantial background questionnaire as a tool for the agency to establish the experience and honesty of the candidate. These written documents aid in the testing of a polygraph or voice stress analyzer.

6. Georgia Peace Officer Standards and Training Council (GPOSTC or POST)

Georgia POST, and similar organizations in other states, should be contacted for any actions they may have taken regarding the applicant. You should obtain **all** of the records available and carefully review them. This includes all previous POST cases related to a candidate. It should be noted that Georgia POST provides this service (providing copies of any POST actions related to a candidate) without charge to government agencies.

7. Decertified Officers

The International Association of Directors of Law Enforcement Standards and Training (<http://www.iadlest.org>) maintains the National Decertification Index (NDI) and has more than 16,000 records of decertified officers based on data from 34 states.

8. Previous Places of Work

Agencies where the candidate has worked should be contacted and all records should be reviewed as part of the background investigation. Many experts believe that the best indicator of employee behavior is based on his/her performance and work ethic at previous workplaces. Frequent changes in work history can be a “red flag” and should be investigated further.

9. Georgia State Certification 12 Critical Tasks

The selection and hiring process is one of the 12 “critical” tasks that must be addressed by all Georgia State Certified agencies. These 12 tasks are:

- a. Search and Seizure
- b. Transportation of Detainees
- c. Domestic Violence/Employee (all personnel)
- d. Property and Evidence
- e. Off-Duty Conduct (all personnel)
- f. Sexual Harassment (all personnel)
- g. Selection and Hiring**
- h. Citizen Complaints/Internal Affairs (all personnel)
- i. Special Operations/SWAT, etc.
- j. Dealing with the mentally ill or persons with diminished capacity (all personnel)
- k. Ethics (all personnel)
- l. Use of Force (Response to Active Resistance)

Note that some of the 12 Critical Tasks require that all employees receive training. Others require that only employees involved in that function receive training.

10. Other Documents for Screening Candidates

Morris & McDaniel, Inc. has developed two (2) documents your agency may wish to consider that will assist with the screening of candidates. The **Entry Level Law Enforcement Exam** is a statistically validated test to identify individuals who possess the abilities required to be a successful law

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enforcement officer. This exam thoroughly evaluates a number of knowledges, skills and abilities common to entry-level position. The **Candidate Profile Summary for Law Enforcement** is an instrument designed to assess the integrity, work ethic and service orientation of law enforcement candidates. The State Certification Committee has concluded that this test is valid to meet Standard 3.3. for State Certification (psychological testing). The two best means of contacting a Morris & McDaniel subject matter expert is by telephoning 404.403.3964 or 888.403.3577. If you want to learn more about these tests before you call, please use the following link:
http://www.gachiefs.com/Services_EntryLevelTesting.htm

11. Communicate the Process to the Candidates

Candidates need to be informed of the agency's policies and procedures and know what to expect during the application process. This may also help eliminate some unqualified or potentially unsuitable employees who will drop out early in the process.

12. Record Keeping and Record Retention

Appropriate records must be kept and reviewed to ensure the agency or government entity maintains an equal opportunity for employment. Further, agencies must retain the records in compliance with the Georgia Records Retention Act. Effective 2011, the retention schedule for employment applications called for two years, if the applicant was not hired. Criminal history and background checks must be retained for seven years, if the applicant is hired.

In summary, carefully review and verify the information on the background application to ensure the candidate meets or exceeds the requirements of your agency.

The information contained in this document is based on research as well as personal experience. Sources include the Selection and Hiring Policy from the GACP sample operations manual, and policies from Covington, Dalton, Dunwoody, Gainesville, Hapeville, LaGrange and Suwanee Police Departments, as well as the Forsyth County Sheriff's Office, Georgia Bureau of Investigation, Georgia P.O.S.T. rules and Official Code of Georgia Annotated (OCGA).

Attachments:

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**ATTACHMENT A
SELECTION AND HIRING CHECKLIST**

A “yes” or “no” is required in the column on the right. Any “no” answer must be explained.

1. Job description is current and accurate. _____
2. A detailed pre-employment questionnaire or “hiring book” is in place. _____
3. The application form has been properly completed. _____
4. The candidate has received a step-by-step description (checklist) of the hiring process. _____
5. The checklist includes all requirements that must be met prior to consideration for employment by the agency, i.e. U.S. Citizenship, educational level attained, valid driver’s license, POST Certification where applicable. _____
6. The department has provided this applicant with a declaration of anti-discrimination with respect to the hiring process. _____
7. Applicant successfully passed a written pre-employment test, such as the Morris & McDaniel Entry Level Law Enforcement Exam. _____
8. All questions on the pre-employment questionnaire have been answered. _____
9. Applicant has signed an affidavit indicating whether they have ever been the subject of a domestic restraining or protective order or whether they have ever been previously convicted of a domestic violence related offense. _____
10. Applicant successfully passed the fitness test. _____
11. Background investigation included the following:
 - a. Verification of the information in the pre-employment Questionnaire. _____
 - b. Received and reviewed applicant’s driving history. _____
 - c. Criminal History check of applicant including checks in all former states of residency has been completed. _____
 - a. Surveyed law enforcement agencies in locales where applicant has resided or known to frequent. This survey should include a CAD inquiry of the applicant’s former residences during the period of the applicant’s residency. _____
 - b. Credit History report completed. _____
 - c. Checked National Database that registers officers who have been de-certified by a state POST (www.iadlest.org). _____

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- d. Interviewed references listed as well as removed references
(background investigator should ask the listed references for the identities of additional persons who know the applicant allowing the investigator to speak to persons who have knowledge of the applicant but who were not listed by the applicant.) _____
- e. All former employers, to the extent possible, must be interviewed
(Release signed by candidate authorizes non-law enforcement to furnish employment information without recourse.-- O.C.G.A. 35-8-8.) _____
- f. Reviewed all Internal Affairs (Professional Standards) files from prior L.E. agencies. _____
- g. Reviewed all previous GA POST cases. _____
- h. Un-named persons known to the applicant, such as neighbors, former neighbors, school officials etc. have been sought out and interviewed. _____
- i. In cases where form letters have been sent out to references but have not been returned, the investigator has made every effort to contact that individual either face-to-face or by telephone to make an inquiry as to the applicant' suitability for employment by the agency. _____
- j. If the applicant has already been through the basic academy for POST certification, interviews of staff members that had direct contact with the applicant must be conducted. _____
- k. Following the background investigation, the investigator shall compile a background summary and make a recommendation with respect to the applicant's suitability for employment with the agency. In cases where the investigator is recommending that the applicant not be considered for employment, the investigator shall provide specific, detailed information as to the reasons supporting the recommendation. _____
- l. Polygraph or voice stress testing completed following the background investigation, but prior to the oral interview process. _____
- m. Following the successful completion of the background investigation the applicant has undergone an objective interview.
(Each applicant interviewed shall be asked the same group of specific questions. Follow-up questions for clarification may be asked by the interviewer(s). Additionally, interviewers shall be provided with the applicant's background investigation prior to the interview so that questions relating to the background may be incorporated into the interview process.) _____
- n. Once all applicants had been interviewed, the interviewer(s) made recommendations to the hiring authority whether or not this candidate should be considered for employment. _____
- o. Was candidate required to do a "ride-along" for a complete

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shift with selected officers in the agency? (See attachment C) _____

The agency will not consider persons for hire where the background examination, interview, polygraph, voice stress, or any other portion of the application process puts the agency on notice that the candidate has a propensity to engage in conduct that could harm a member of the public.

Any determination by the department that an applicant has been deceptive in a response either verbally or in writing during the hiring process shall be immediate grounds for dismissal from the process.

Any determination by the department that a candidate who has been hired was deceptive during the hiring process shall be grounds for termination from the agency.

- p. Conditional job offer was made. _____
- q. Candidate successfully passed medical examination. _____
- r. Candidate passed drug test. _____
- s. Candidate passed psychological testing. _____
- t. Candidate was hired. _____

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ATTACHMENT B Sample Policy

Purpose

The purpose of this document is to outline and direct the hiring process and practices for employment as a sworn member of a law enforcement agency.

DEFINITIONS:

ADVERSE IMPACT: A substantially different rate of selection (generally less than 80%) that works to the disadvantage of members of a race, or ethnic group; an unfavorable effect.

AFFIRMATIVE ACTION PLAN: A written plan for recruiting, hiring, training and promoting minorities and women.

EMOTIONAL STABILITY/PSYCHOLOGICAL FITNESS EXAMINATION: Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either detrimental or advantageous to successful job performance.

FORMAL APPLICATION: A written form used to express interest in employment and to request information on a person's basic occupational qualifications, work experience, educational background, training, and specific skills or abilities.

HIRING BOOK OR BACKGROUND BOOK: Current and historical data provided by an applicant used to verify qualifications required for employment

JOB TASK ANALYSIS: A systematic examination of the functions and objectives of each job to be performed as it relates to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

PROBATIONARY PERIOD: A period of time, usually twelve (12) months, after initial employment or placement in new classification (Police Trainee to Police Officer, Police Officer to Sergeant, Records Clerk to Senior Secretary, etc.).

RECRUITMENT ACTIVITIES: A systematic method of seeking potentially qualified job applicants.

SELECTION PROCEDURE: Any established method or combination of methods used in any way as the basis for an employment decision.

UTILITY/USEFULNESS: An assessment of the practical value of a component of the selection process based upon considerations of validity, selection/appointment ratio, the number of candidates to be selected, and the nature of the job.

VALIDITY: Proof through statistical data that a given component of the selection process is job-related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

Policy

The policy of this agency is to hire only those persons qualified for employment in law enforcement. This agency seeks the highest level of professionalism and integrity by its members and recognizes that this commitment begins with the selection of candidates for this agency.

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1. All personnel who engage in recruitment practices must be knowledgeable in personnel matters, including equal employment opportunity and affirmative action as it affects the management and operations of the Department, and the following areas:
 - a. The Department's recruitment needs and commitments;
 - b. The Department's career opportunities, salaries, benefits and available training;
 - c. Federal and state rules, regulations and laws concerning recruitment and selection of employees;
 - d. The needs of the community;
 - e. The needs and desires of different ethnic groups and subcultures;
 - f. Record keeping systems for tracking candidates;
 - g. Procedures used by the Department in the selection process;
 - h. Recruitment and selection procedures used by other jurisdictions;
 - i. Areas or behaviors that may disqualify a candidate;
 - j. Physical/Medical requirements.

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2. Members of the Department, especially minority representatives of the service area, shall participate in recruitment and selection activities whenever possible. Minority personnel who are fluent in the community's languages and aware of the cultural environment shall also be utilized. All members of the Department are encouraged to seek out and identify potential applicants and encourage them to apply.
3. A community outreach effort shall be integrated into personnel recruitment and will include:
 - a. Recruitment assistance, referrals and advice from community organizations, and key community leaders;
 - b. Posting of job announcements with community service organizations;
 - c. On-site recruitment and educational programs for educational institutions and community organizations in the hiring area;
 - d. Efforts to recruit from outside the community service area to broaden the Department's ability to attract qualified applicants.

A. Procedure:

1. The department shall provide each applicant with a step-by-step checklist outlining the process by which this agency selects individuals for employment as a sworn police officer.
2. The checklist shall include all requirements that must be met prior to consideration for employment by the agency, i.e. U.S. Citizenship, educational level attained, valid driver's license, POST Certification where applicable pre-application.
3. The department shall provide each applicant with a declaration of anti-discrimination with respect to the hiring process.
4. Each applicant must apply in writing using the department prescribed application form. All questions on the form must be answered completely and truthfully.
5. Any determination by the department that an applicant has been deceptive in a response either verbally or in writing during the hiring process shall be immediate grounds for dismissal from the process.
6. Any determination by the department that a candidate who has been hired was deceptive during the hiring process shall be grounds for termination from the agency.
7. Each applicant must provide documentation of the essential requirements, i.e. driver's license, social security card, high school and college diplomas, DD214, proof of citizenship etc. upon submission of the application.
8. Each applicant must sign prescribed waivers with respect to prior medical, psychological, credit, education, & criminal history including sealed and juvenile records.
9. Each applicant must sign an affidavit indicating whether they have ever been the subject of a domestic restraining or protective order or whether they have ever been previously convicted of a domestic violence related offense.
10. Each applicant who successfully passes, at the level prescribed by this agency, the written examination, will proceed to the fitness test. The fitness levels prescribed by this department are objective fitness standards that are set in conformity with the necessities of carrying out the law enforcement function of a patrol officer.
 - a. The fitness standards of this agency are set in conformity with standards prescribed by the agency in accordance with the bona fide occupational qualifications
 - b. The fitness process shall be supervised by a certified fitness instructor
11. Each applicant who successfully passes, at the level prescribed by the agency, the fitness test, will then proceed to the background examination process. This process shall include:
 - a. Verification of applicant's responses in the written application.
 - b. Applicant's driving history.
 - c. Criminal History check of applicant including checks in all former states of residency.
 - d. Survey law enforcement agencies in locales where applicant has resided or known to frequent. This survey should include a CAD inquiry of the applicant's former residences during the period of the applicant's residency.
 - e. Credit History report.
 - f. Check of National Database that registers officers who have been de-certified by a state POST (www.iadlest.org).

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- g. References listed as well as removed references (background investigator should ask the listed references for the identities of additional persons who know the applicant allowing the investigator to speak to persons who have knowledge of the applicant but who were not listed by the applicant.
- h. All former employers, to the extent possible, must be interviewed (Release signed by candidate authorizes non-law enforcement to furnish employment information without recourse) O.C.G.A. 35-8-8
- i. Un-named persons known to the applicant, such as neighbors, former neighbors, school officials etc. should be sought out and interviewed.
- j. In cases where form letters have been sent out to references but have not been returned, the investigator shall make every effort to contact that individual either face-to-face or by telephone to make an inquiry as to the applicant' suitability for employment by the agency.
- k. If the applicant has already been through the basic academy for POST certification, interviews of staff members that had direct contact with the applicant must be conducted.
- l. Following the background investigation, the investigator shall compile a background summary and make a recommendation with respect to the applicant's suitability for employment with the agency. In cases where the investigator is recommending that the applicant not be considered for employment, the investigator shall provide specific, detailed information as to the reasons supporting the recommendation.
- m. The agency shall require polygraph or voice stress testing for each candidate applying for the position of police officer following the background investigation, but prior to the oral interview process.
- n. Following the successful completion of the background investigation each remaining applicant shall undergo an objective interview. Each applicant interviewed shall be asked the same group of specific questions. Follow-up questions for clarification may be asked by the interviewer(s). Additionally, interviewers shall be provided with the applicant's background investigation prior to the interview so that questions relating to the background may be incorporated into the interview process.
- o. Once all applicants have been interviewed, the interviewer (s) will make recommendations to the hiring authority with respect to which applicants should be considered for employment.
- p. As part of the interview process candidates will be required to do a "ride-along" for a complete shift with selected officers in the agency. (See attachment B)
- q. The agency will not consider persons for hire where the background examination, interview, polygraph, voice stress, or any other portion of the application process puts the agency on notice that the candidate has a propensity to engage in conduct that could harm a member of the public.

Disqualification from Process

The Department examines the criminal histories and other background information of all candidates for employment with the Department in accordance with the following principles and procedures:

1. The fact of an arrest does not establish that criminal conduct has occurred, just as the lack of an arrest and/or a conviction does not establish that criminal conduct did not occur.
2. The fact of a conviction is reliable evidence that criminal conduct has occurred. However, the fact that criminal conduct occurred does not necessarily disqualify a candidate from employment. Rather, except in cases where applicable law requires disqualification, the Department will

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consider the nature of the crime, the amount of time that has elapsed since the crime was committed, and the nature of the position applied for by the candidate.

3. Where disqualification is not mandated by law or upon consideration of the foregoing factors, an individualized assessment of the candidate and his/her criminal history will be conducted to determine whether disqualification under the specific circumstances presented would be job-related and consistent with business necessity. Such assessment will include notifying the candidate that his/her criminal history may disqualify him/her for employment and providing the candidate an opportunity to demonstrate the existence of facts and circumstances mitigating against disqualification, such as:
 - a. whether he/she held a similar position with a law enforcement agency, since engaging in the criminal conduct, without incident;
 - b. positive employment and personal references from credible sources provided with full knowledge of the criminal conduct;
 - c. rehabilitation efforts and other meaningful voluntary activities reflecting acceptance of responsibility, remorse, and commitment to change (e.g., crime victims advocacy, work with at-risk youth, etc.); and/or
 - d. the extent to which the criminal behavior was aberrational as compared to every other aspect of candidate's life and was influenced by outside factors beyond the candidate's control.
4. Subject to the foregoing principles and procedures, the following are considered to be potential grounds for disqualifying a candidate for employment with the Department:
 - a. Commission of a felony, including convictions based on pleas of Nolo Contendere.
 - b. Commission of a crime of an aggravated or sexual nature, a crime against children, a crime of domestic violence, a crime involving drug use, possession, sale, or other involvement, or a crime involving moral turpitude, disrespect for law enforcement authorities, or any other element deemed unacceptable by the CEO of the Law Enforcement of Police, including convictions based on pleas of Nolo Contendere.
 - c. Convictions of two or more misdemeanor crimes (excluding minor traffic offenses), including convictions based on pleas of Nolo Contendere.
 - d. Two or more convictions for Driving Under the Influence within a candidate's lifetime or any one or more convictions for Driving Under the Influence within a five-year period of the candidate's application date, including convictions based on pleas of Nolo Contendere.
 - e. Conviction for the traffic offense of Hit & Run, Homicide by Vehicle, Attempting to Elude, or Habitual Violator as defined by Georgia law or other similar state laws regardless of law titles, including convictions based on pleas of Nolo Contendere.
 - f. Conviction for Reckless Driving or Racing within a five-year period of the application date as defined by Georgia law or other similar state laws regardless of law titles, including convictions based on pleas of Nolo Contendere.
 - g. Conviction by a General or Special court martial or a pattern of violations under the Uniform Code of Military Justice, including punitive judgments or punishments (e.g., Article 15, Captain's Mast, etc.).

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- h. A driver's license point assessment of five or more points at any time within two years of the application date or at any time within the hiring process itself or any driving history which reflects a recurring pattern of traffic violations which represents disrespect for traffic laws.
 - i. A history of involvement in commercial gambling (e.g., bookmaking, loan sharking, etc.) or outstanding gambling debts owed to any agency, firm, organization, or person.
 - j. Less than honorable military discharges unless the discharge is upgraded to honorable prior to the time of the candidate's application for employment.
 - k. Any termination for cause by any federal, state, county or municipal civil service or merit system or any two or more terminations for cause received by any employer within a five-year period of the candidate's application.
 - l. Failure to pass the Georgia Peace Officer Standards and Training ("POST") Council Entrance Examination while participating in the Department's hiring process.
 - m. Lack of any required Georgia POST certification (Attachment xx) or a lapse in required annual training hours.
 - n. Failure to possess a valid driver's license, any license restrictions which hinder the ability to operate an emergency vehicle in accordance with the laws of the State and the policies of the Department, or any driver's license suspension within seven years of the application date (excluding suspensions for non-payment of insurance-premiums).
 - o. Any activity (including social media) where criminal behaviors, drug use, sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals are observed.
5. Conditional offer of employment-Prior to medical and psychological exams, it is necessary under federal law to make a conditional offer of employment to the candidate. A conditional offer essentially holds that if the candidate passes the medical and psychological exam, they will be hired by the agency.
- A. Medical Examination: A licensed medical practitioner who is familiar with the job tasks of a law enforcement officer will conduct this exam.
 - 1. Drug screening shall be conducted of all candidates who have received a conditional offer of employment.
 - 2. The medical examination will include a review of the candidate's medical history of injury/illness that may impact the candidate's ability to meet the job task of a law enforcement officer. This review of medical records is limited to review by the doctor who will determine whether the candidate is medically cleared for a position with this agency.
 - B. Psychological Testing-Each applicant who has received a conditional offer of employment shall undergo the prescribed psychological testing to determine his or her suitability for the law enforcement profession. The Morris-McDaniel Candidate Profile Summary for Law Enforcement instrument meets State Certification Standard 3.3b and may be used for this requirement.

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ATTACHMENT C

State Certified agencies must meet the following Standards:

Standard

- 3.1 The agency shall have an equal employment opportunity plan.

Commentary

The equal employment opportunity plan should ensure equal opportunities for employment and employment conditions. The equal employment opportunity plan (EEO) should be based on an annual analysis of the agency's present employment policies, practices, and procedures relevant to their effective impact on the employment and utilization of all employees (i.e., includes civilian employees). The EEO plan, which may be produced in the form of a written directive, may contain such provisions as: (1) a strongly worded statement from the agency's CEO that it is agency policy to ensure that all individuals should be given equal opportunity for employment, regardless of race, sex, creed, color, age, religion, national origin, or physical impairment; (2) a procedure for filing complaints relating to EEO; and (3) specific action steps that the agency should take to ensure equal employment opportunity is a reality, such as advertising as an "equal opportunity employer" or providing applications or testing processes at decentralized, easily accessible locations. The policies related to sexual harassment in the workplace may also be incorporated into the agency's overall EEO effort.

Standard

- 3.2 The agency shall have written directives describing all elements and activities of the selection process for all personnel.

Commentary

Such written directives are essential for the proper administration, use and defensibility of the selection process. The directive should describe the order of events in the selection process and should include, at the least, information about the purpose, development, job relatedness, administration, scoring, and interpretation of all elements used in the selection process.

The law enforcement agency may rely upon a state or local civil service commission, employment agency, or other public or private organization to administer or provide one or more elements of the selection process. If so, a copy of all relevant manuals should be maintained on file by the law enforcement agency. Written directives should describe the selection process in detail and include timetables, the order of events, administration, scoring, interpretation of test results, and other pertinent information.

Standard

- 3.3 The agency shall have a written directive requiring that all elements of the selection process for all sworn personnel be administered, scored, evaluated, and interpreted in a uniform manner. The process for sworn personnel shall include:
- a. medical examination, including drug screening;
 - b. psychological screening;
 - c. oral interview;
 - d. background investigation; and
 - e. testing for deception (e.g. polygraph, voice stress analyzer, etc.).

Commentary

Operational elements of the selection process time limits, oral instructions, practice problems, answer

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sheets, and scoring formulas should be clearly set forth and carried out identically for all candidates. Failure to do so may preclude validation of the process and make the agency susceptible to legal challenges.

Standard

- 3.4 A written directive requires a background investigation of each candidate for all sworn positions and all full-time civilian positions is conducted prior to appointment to probationary status, and includes:
- a. verification of qualifying credentials;
 - b. a review of any criminal record; and
 - c. verification of at least three personal references.

Commentary

It is more reliable to conduct the inquiry in person, although telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier.

Standard

- 3.5 The agency shall have a written directive requiring all new personnel to receive information regarding:
- a. the agency's role, purpose, goals, policies, and procedures;
 - b. working conditions and regulations; and
 - c. responsibilities and rights of employees.

Commentary – NONE

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ATTACHMENT D-1

POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

SECTION: CANDIDATE RIDEALONG POLICY

EFFECTIVE DATE: _____

NUMBER OF PAGES: 7

REVISED DATE: _____

DISTRIBUTION AUTHORIZATION:

I. PURPOSE

- A. The purpose of the police officer Candidate ride along program is two-fold in nature. The first goal is to develop a pre-employment assessment conducted by law enforcement personnel of the Candidate's potentiality for career success. The second goal is to facilitate a realistic depiction of the overall duties and responsibilities of the _____ police officer. Each member of the Police Department has a vested interest in this important new facet of the selection process as each Candidate shares an equivalent potential to join the ranks of the _____ Police Department.
- B. The *CEO of the Law Enforcement of Police and appointed designee(s)* will review and assess documentation provided by the Police Department during their overall assessment of individual candidates.

II. PROCEDURES

- A. Each Candidate will be assigned to complete a complete shift ride along period with a selected officer.
- B. Each Candidate will complete and execute a standard *Waiver of Liability* (Attachment 1) used for ride along purposes.
- C. For discussion purposes, officer's interactions with candidates should include, but not be limited to:
 - 1. Points of interest in their assigned beat;
 - 2. Service orientation of the City and Police Department;
 - 3. Training and career opportunities; and,
 - 4. Community-oriented policing philosophy.
- D. If the Candidate is not appropriately attired in clean presentable clothing, the Candidate should be escorted to the Watch Commander for rejection from the ride-along portion of the selection process. If, in the opinion of this supervisor, the attire is inconsistent with appropriate business attire, the candidate will be rejected and provided with the reason for such rejection. The top portion of the *Candidate Ride Along Assessment Form* will be completed and the reason for rejection documented in the narrative portion of the report.

III. DOCUMENTATION

- A. Each officer assigned will complete the form provided as Attachment (2) to this policy generally providing his or her impressions and observations of the police officer candidate.
 - 1. The first sentence in the narrative of the *Candidate Ride Along Assessment Form* will read, "*The candidate reported at _____ a.m./p.m.*"
 - 2. Officers should support their opinions for the candidate's overall potentiality for a law enforcement career with objective evidence garnered through the candidate's questions or conversation during the ride along. If the Candidate asks questions during the ride-along, the types of questions should be documented in the narrative portion of the *Ride Along Assessment Form* completed by the police officer.
 - 3. Completed forms will be submitted to the Watch Commander for cursory review and forwarded directly to the CEO of the Law Enforcement of Police.

RECOMMENDED HIRING PROCEDURES

4. If a candidate does not report on date and time assigned, the officer will complete the top portion of the *Candidate Ride Along Assessment Form* and enter "No show" into the narrative portion of the report.
- B. In order to accurately assess a candidate's written communicative skills and ability to express themselves, each candidate, prior to leaving the police department, will complete the Candidate Statement of Integrity form provided as Attachment (3) to this policy.

IV. SCHEDULES

- A. Human Resources will assign and direct candidates to report to the police department on the specific date and time.
- B. In the event of assigned officer illness or emergency, the candidate will be assigned to the on-duty Supervisor or Officer-In-Charge.

RECOMMENDED HIRING PROCEDURES

**ATTACHMENT D-2
RIDE-ALONG PROGRAM REQUEST
PASSENGER WAIVER**

I, _____, do hereby request to participate in the _____ Police Department ride-along program as an observer. I understand that I am participating in a program that may pose danger to me, and I hereby waive the City of _____, the _____ Police Department, and employees of the _____ Police Department from any liability while participating in the program. I understand that while serving as an observer, I will follow these rules:

1. I will obey and follow all directions given to me by the Officer whom I am riding with, or any superior Officer.
2. I will not drive the patrol vehicle or operate any equipment, unless under an emergency situation, and only by orders of a Police Officer.
3. I will not be armed in any manner.
4. I will not interfere with the Officer in the performance of his duties.
5. I will remain in the patrol car on traffic stops and other calls until the Officer has safely neutralized the situation.
6. I will conduct myself in a professional and courteous manner before the public.

By the affixed signature, I agree to abide by the rules stated above, and understand the waiver completely. I also understand and agree that as part of his/her application a routine criminal background check will be conducted and by my signature give my permission to the _____ Police Department to conduct such a background check.

A photocopy of requester's valid driver's license or identification card must be submitted with this request.

Print Name (First, Middle, Last)

Date of Birth (Month/Day/Year)

Social Security Number

Driver's License Number

Date/Time of Ride-Along (1st Choice)

Date/Time of Ride-Along (2nd Choice)

Home Address (Street, City, Zip)

Phone Number (Day, Night)

Signature of Candidate/Date

Signature of Approving Officer/Date

Signature of Patrol Commander/Date

Signature of Shift Supervisor/Date

Operator : _____ Date: _____ ARN: _____ - _____

RECOMMENDED HIRING PROCEDURES

ATTACHMENT D-3

POLICE DEPARTMENT
CANDIDATE RIDEALONG ASSESSMENT FORM
(To be completed by Police Officer)

CANDIDATE NAME: _____ DATE: _____
TIME OF RIDEALONG: _____ am pm to _____ am pm
OFFICER CONDUCTING RIDEALONG: _____

PLEASE RATE THE CANDIDATE ON THE FOLLOWING FACTORS:

	<u>Poor</u>	<u>Fair</u>	<u>Good</u>	<u>Excellent</u>	<u>Outstanding</u>
Overall Interest in Law Enforcement.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attitude.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Observation Skills.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attentiveness.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential for Law Enforcement Career.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commitment, Dedication, Motivation.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Law Enforcement as a Career.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level of Self-Discipline (appearance demeanor, fitness)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Verbal communicative skills (ability to express thoughts clearly)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE PROVIDE A BRIEF NARRATIVE ASSESSMENT OF YOUR OBSERVATIONS AND IMPRESSIONS OF THE CANDIDATE, INCLUDING A STATEMENT CONCERNING THEIR POTENTIALITY AS A _____ POLICE OFFICER.

RECOMMENDED HIRING PROCEDURES

ATTACHMENT D-4
POLICE DEPARTMENT
RIDEALONG PROGRAM
Statement of Integrity

(To be completed by Police Officer Candidate)

CANDIDATE NAME: _____
DATE: _____ **TIME OF RIDEALONG** _____ **am/pm to** _____ **am/pm**

USING THE SPACE PROVIDED BELOW, PLEASE PROVIDE THE CEO OF THE LAW ENFORCEMENT OF POLICE AND APPOINTED DESIGNEES WITH AN ANSWER TO EACH OF THE QUESTIONS.

THIS FORM IS TO BE COMPLETED IMMEDIATELY FOLLOWING YOUR RIDEALONG AND PRINTED USING A PEN OR PENCIL -- DO NOT TYPE. SUBMIT THIS FORM TO THE ON-DUTY WATCH COMMANDER WITH ALL OF YOUR PAPERWORK FOLLOWING COMPLETION.

1 (A) Define, using your own words, what the words honesty and truthfulness mean to you.

(CONTINUE ON REVERSE SIDE IF NECESSARY)

1 (B) Explain, in your own words, why you believe that it is important for a police officer to practice and tell the truth, at all times, to all people.

(CONTINUE ON REVERSE SIDE IF NECESSARY)

2 If hired as a _____ Police Officer, will you pledge, swear or affirm, never to intentionally or maliciously deviate from telling the truth, in everything that you do, in all of your on-duty interactions? [excepting those circumstances where it is merited such as undercover investigations, narcotics investigations, interrogation strategies, etc.]

- Yes, I will pledge, swear or affirm this statement.
 No, I will not pledge, swear or affirm this statement. If no, please explain: _____

(CONTINUE ON REVERSE SIDE IF NECESSARY)

Candidate _____ Signature: _____
Date: _____

RECOMMENDED HIRING PROCEDURES

35-8-8. Requirements for appointment or certification of persons as peace officers and pre-employment attendance at basic training course; "employment related information" defined.

(a) Any person employed or certified as a peace officer shall:

- (1) Be at least 18 years of age;
- (2) Be a citizen of the United States;
- (3) Have a high school diploma or its recognized equivalent;
- (4) Not have been convicted by any state or by the federal government of any crime the punishment for which could have been imprisonment in the federal or state prison or institution nor have been convicted of sufficient misdemeanors to establish a pattern of disregard for the law, provided that, for the purposes of this paragraph, violations of traffic laws and other offenses involving the operation of motor vehicles when the applicant has received a pardon shall not be considered;
- (5) Be fingerprinted for the purpose of conducting a fingerprint based search at the Georgia Bureau of Investigation and the Federal Bureau of Investigation to determine the existence of any criminal record;
- (6) Possess good moral character as determined by investigation under procedure established by the council and fully cooperate during the course of such investigation;
- (7) Be found, after examination by a licensed physician or surgeon, to be free from any physical, emotional, or mental conditions which might adversely affect his or her exercise of the powers or duties of a peace officer; and
- (8) Successfully complete a job related academy entrance examination provided for and administered by the council in conformity with state and federal law. Such examination shall be administered prior to entrance to the basic course provided for in Code Sections 35-8-9 and 35-8-11. The council may change or modify such examination and shall establish the criteria for determining satisfactory performance on such examination. Peace officers who do not perform satisfactorily on the examination shall be ineligible to retake such examination for a period of six months after an unsuccessful attempt. The provisions of this paragraph establish only the minimum requirements of academy entrance examinations for peace officer candidates in this state; each law enforcement unit is encouraged to provide such additional requirements and any pre-employment examination as it deems necessary and appropriate.

(b) Any person authorized to attend the basic training course prior to employment as a peace officer shall meet the requirements of subsection (a) of this Code section.

(c) (1) For purposes of this subsection, the term "employment related information" means written information contained in a prior employer's records or personnel files that relates to an applicant's, candidate's, or peace officer's performance or behavior while employed by such prior employer, including performance evaluations, records of disciplinary actions, and eligibility for rehire. Such term shall not include information prohibited from disclosure by federal law or any document not in the possession of the employer at the time a request for such information is received.

(2) Where an investigation is conducted for the purpose of hiring, certifying, or continuing the certification of a peace officer, an employer shall disclose employment related information to the investigating law enforcement agency upon receiving a written request from such agency. Disclosure shall only be required under this subsection if the law enforcement agency's request is accompanied by a copy of a signed, notarized statement from the applicant, candidate, or peace

RECOMMENDED HIRING PROCEDURES

officer releasing and holding harmless such employer from any and all liability for disclosing complete and accurate information to the law enforcement agency.

(3) An employer may charge a reasonable fee to cover actual costs incurred in copying and furnishing documents to a requesting law enforcement agency, including retrieving and redacting costs, provided such amount shall not exceed \$25.00 or \$0.25 per page, whichever is greater. No employer shall be required to prepare or create any document not already in the employer's possession at the time a request for employment related information is received. Any employment related information provided pursuant to this subsection that is not subject to public disclosure while in the possession of a prior employer shall continue to be privileged and protected from public disclosure as a record of the requesting law enforcement agency.

(4) No employer or law enforcement agency shall be subject to any civil liability for any cause of action by virtue of disclosing complete and accurate information to a law enforcement agency in good faith and without malice pursuant to this subsection. In any such cause of action, malice or bad faith shall only be demonstrated by clear and convincing evidence. Nothing contained in this subsection shall be construed so as to affect or limit rights or remedies provided by federal law.

(5) Before taking final action on an application for employment based, in whole or in part, on any unfavorable employment related information received from a previous employer, a law enforcement agency shall inform the applicant, candidate, or peace officer that it has received such employment related information and that the applicant, candidate, or peace officer may inspect and respond in writing to such information. Upon the applicant's, candidates, or peace officer's request, the law enforcement agency shall allow him or her to inspect the employment related information and to submit a written response to such information. The request for inspection shall be made within five business days from the date that the applicant, candidate, or peace officer is notified of the law enforcement agency's receipt of such employment related information. The inspection shall occur not later than ten business days after said notification. Any response to the employment related information shall be made by the applicant, candidate, or peace officer not later than three business days after his or her inspection.

(6) Nothing contained in this Code section shall be construed so as to require any person to provide self-incriminating information or otherwise to compel any person to act in violation of his or her right guaranteed by the Fifth Amendment of the United States Constitution and Article I, Section I, Paragraph XVI of the Georgia Constitution. It shall not be a violation of this Code section for a person to fail to provide requested information based on a claim that such information is self-incriminating provided that notice of such claim is served in lieu of the requested information. An action against such person to require disclosure on the grounds that the claim of self-incrimination is not substantiated may be brought in the superior court of the county of such party's residence or where such information is located.

REQUEST PERTAINING TO MILITARY RECORDS

- Form SF180 - [Request Pertaining to Military Records \(.pdf\)](#)

Related cases for review:

Govea et. al. v. City of Norcross et.al. City of Chamblee v. Govea et. al.
Court of Appeals of Georgia 271 Ga. App. 36;608 S.E. 2d 677
At: <http://caselaw.findlaw.com/ga-court-of-appeals/1175079.html>

Harper v. East Point

<http://www.lawskills.com/case/ga/id/235/27/index.html>