



Approved:
Chief Marcia Harnden

Subject:

801. Recruitment and Selection

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801.1: PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifies job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Albany Police Department and that are promulgated and maintained by the Department of Human Resources.

801.2: POLICY

It is the policy of the Albany Police Department to hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

In accordance with applicable federal, state, and local law, the Albany Police Department provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

801.3: RECRUITMENT

- a. The Administrative Lieutenant should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.
- b. The strategy should include:
 - 1) Identification of racially and culturally diverse target markets;
 - 2) Use of marketing strategies to target diverse applicant pools;
 - 3) Expanded use of technology and maintenance of a strong Internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit;

- 4) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military;
 - 5) Employee referral and recruitment incentive programs;
 - 6) Consideration of shared or collaborative regional testing processes;
- c. The Administrative Lieutenant shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.
 - d. The Department should strive to facilitate and expedite the screening and testing process and should periodically inform each candidate of the candidate's status in the recruiting process.

801.4: SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have, in some manner, distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- a. A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record);
- b. Driving record;
- c. Reference checks;
- d. Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes;
- e. Information obtained from public Internet sites;
- f. Financial history consistent with the [Fair Credit Reporting Act \(FCRA\) \(15 USC § 1681 et seq.\)](#);
 - 1) Review and use of information contained in an applicant's credit history shall also be in accordance with [ORS 659A.320](#).
- g. Local, state, and federal criminal history record checks;
- h. Medical and psychological examination conducted by a licensed professional (may only be given after a conditional offer of employment);
- i. Review board or selection committee assessment.

801.4.1: VALIDATION OF RECRUITMENT COMPONENTS

The Administrative Lieutenant shall ensure all recruitment testing and assessment instruments are reviewed with the Human Resources Department to ensure the components are relevant to the job, have validity, utility, and minimum adverse impact on women and minority candidates. Testing and assessment instruments will be carefully reviewed to ensure they enable interviewers or assessors to best measure a candidate's skills, knowledge, and abilities relative to the position for which they have applied. The Albany Police Department utilizes validated testing instruments as a screening/selection tool of all entry-level Police Officer, Police Communications Specialist, Community Service Officer, and Police Clerk recruitment processes and applicants.

801.4.2: TEST ADMINISTRATION AND SCORING

All selection elements of the recruitment and hiring process shall be administered, scored, evaluated, and interpreted in a uniform and fair manner. This includes, but is not limited to:

- a. Time Limitations
- b. Oral and Written Instructions
- c. Any Practice Problems
- d. Answer Sheets
- e. Scoring Formulas

801.4.3: ORAL INTERVIEWS

- a. The Albany Police Department will conduct oral interviews of candidates who have been previously screened or selected for an interview in other steps, including but not limited to:
 - 1) Minimum and desired qualifications derived from the applicant's job application.
 - 2) Validated, written testing instruments.
 - 3) Practical testing, if applicable to the position.
- b. First step oral interview panels (often referred to as a five-minute interview) will be comprised of two interviewers. Interviewers may include other Police Department employees, supervisors, and field training officers.
- c. Formal interview panels will be comprised of a minimum of three interviewers. Depending on the position, the interviewers may include other Police Department employees, supervisors, and field training officers as well as participants from other City Departments, police agencies, or community members.

- d. Oral interview panels will use standardized questions and assessment instruments for all applicants for the position and recruitment. Additional questions, which are clarification to answers to standardized questions, may be asked by any interviewer. Questions will be reviewed by the Administrative Lieutenant and a Human Resources liaison prior to the interview process to ensure the questions are appropriate and useful for the selection process and are non-discriminatory in nature.
- e. The Chief of Police and/or Unit Supervisor should conduct subsequent interviews of select finalist candidates prior to making a conditional offer.

801.4.4: VETERAN PREFERENCE

Veterans of the United States Armed Forces who served on active duty and who meet the minimum qualification for employment may receive preference pursuant to [ORS 408.230](#).

801.5: BACKGROUND INVESTIGATION

- a. Pre-employment Background Investigation – A background investigation will be conducted on candidates who have received a conditional offer of employment with the Police Department. The background investigation will verify the candidate’s personal integrity and ethical standards and identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Albany Police Department ([OAR 259-008-0015](#)). The background investigation will determine if a candidate is eligible to receive a conditional offer of employment letter.
- b. Background Investigation Content – Background investigations shall use Albany Police Department forms which meet Department of Public Safety Standards (DPSST) standards. The assigned background investigator shall document the results of the investigation and shall include the minimum information in the final report:
 - 1) Biographical data;
 - 2) Family data;
 - 3) Scholastic data;
 - 4) Employment background and history;
 - 5) Criminal history (including Computerized Criminal History (CCH), LEDS/NCIC, and Driver’s License Verification);
 - 6) Interviews with at least three of the applicant’s personal references;
 - 7) Interviews with at least two people who know the applicant but are not listed as references;
 - 8) Interviews with each previous employer;
 - 9) Summary of the investigation’s findings and conclusions regarding the applicant’s moral character;
 - 10) Verification of military service background;
 - 11) Credit history; and
 - 12) DPSST professional records review.
- c. All completed background investigations will be forwarded to the Administrative Lieutenant and Support Services Captain for review, and then to the Chief of Police for final determination.

- d. Upon completion of the background investigation, applicants will be notified of their recruitment status by the Administrative Lieutenant or designee.
- e. Background investigators will undergo department approved training prior to conducting background investigations and will coordinate their investigation with the Administrative Lieutenant.

801.5.1: NOTICES

Background Investigators shall ensure that investigations are conducted, and notices provided in accordance with the requirements of the [FCRA \(15 USC § 1681d\)](#).

801.5.2: REVIEW OF SOCIAL MEDIA SITES

- a. Due to the potential for accessing unsubstantiated, private or protected information, the Administrative Lieutenant shall not require candidates to provide passwords, account information or access to password-protected social media accounts ([ORS 659A.330](#)).
- b. The Administrative Lieutenant should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, Internet-based searches and/or review information from social media sites to ensure that:
 - 1) The legal rights of candidates are protected;
 - 2) Material and information to be considered are verified, accurate, and validated;
 - 3) The Department fully complies with applicable privacy protections and local, state, and federal law.
- c. Regardless of whether a third party is used, the Administrative Lieutenant should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

801.5.3: DOCUMENTING AND REPORTING

- a. The Background Investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment.
- b. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions.
- c. The report and all supporting documentation shall be included in the candidate's background investigation file.

801.5.4: RECORDS RETENTION

- a. The background report and all supporting documentation for selected candidates are maintained by the Police Business Manager.
 - 1) All background reports and supporting documentation for non-selected candidates will be maintained by the Human Resources division for three years according to the Secretary of State Archives Division Retention Schedule, ([166-200-0305](#)(03)).
 - 2) All background reports and supporting documentation for employees who separate from City employment will be maintained by the Human Resources division for six years for civilian employees and ten years for sworn officers according to the Secretary of State Archives Division Retention Schedule, ((166-200-0305(05)) and [ORS 181A.667](#)).
- b. Selection materials will be stored in a locked filing cabinet in a secure location when not being used and will be disposed of in a manner that prevents disclosure of the information within.
- c. All selection materials for either selected or non-selected candidates that pertain to medical, emotional stability or psychological fitness examinations are maintained by the Human Resources division according to their established records retention schedule.

801.5.5: PROTECTED MEDICAL INFORMATION

- a. Background investigators shall comply with public records reporting laws pursuant to [ORS 192.355](#). Information obtained during the course of their investigation of a protected medical nature will be documented in a memorandum to the Administrative Lieutenant and placed in a sealed "red file." The memorandum will be reviewed and sealed by the Administrative Lieutenant and placed in the background file for retention along with the background investigation report. Protected medical information includes:
 - 1) Medical and/or psychological information; or
 - 2) Family medical and/or psychological information; or
 - 3) The Americans with Disabilities Act (ADA) protected statements.
- b. After the applicant is given a conditional offer of employment, a confidential copy of the red file will be given to the licensed medical or psychological evaluator(s) prior to screening. The Police Business Manager will make the confidential copy and reseal the original contents of the red file to be retained in the background file.
- c. If the position applied for does not call for a post offer medical/psychological examination, the information in the sealed red file will remain in the confidential background investigation file.
- d. The memorandum containing the protected information in the red file shall not be given to the hiring authority.

801.6: DISQUALIFICATION GUIDELINES

- a. As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:
 - 1) Age at the time the behavior occurred;
 - 2) Passage of time;
 - 3) Patterns of past behavior;
 - 4) Severity of behavior;
 - 5) Probable consequences if past behavior is repeated or made public;
 - 6) Likelihood of recurrence;
 - 7) Relevance of past behavior to public safety employment;
 - 8) Aggravating and mitigating factors;
 - 9) Other relevant considerations.
- b. A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

801.7: EMPLOYMENT STANDARDS

- a. All candidates shall meet the minimum standards required by state law ([OAR 259-008-0010](#)).
- b. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.
- c. Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner.
 - 1) Each standard should include performance indicators for candidate evaluation.
- d. The Department of Human Resources should maintain validated standards for all positions.

801.7.1: STANDARDS FOR OFFICERS

- a. Candidates shall meet the minimum standards established by Oregon DPSST, including the following (OAR 259-008-0010):
- b. Be a citizen of the United States within 18 months of hire date;
- c. Be at least 21 years of age;
- d. Be fingerprinted for a check by the Oregon State Police Identification Services Section;
- e. Be free of convictions for any of the following:

- 1) Any felony;
 - 2) Any offense for which the maximum term of imprisonment is more than one year;
 - 3) Any offense related to the unlawful use, possession, delivery or manufacture of a narcotic, controlled substance, or dangerous drug;
 - 4) Any offense which could subject the candidate to a denial or revocation of a peace officer license pursuant to OAR 259-008-0070.
- f. Be of good moral fitness;
- g. Possess a high school diploma, GED equivalent or a four-year advanced degree;
- h. Successfully pass a psychological screening conducted by a licensed mental health professional;
- i. Successfully complete a medical examination; and
- j. Meet the physical standards set forth in OAR 259-008-0010.

801.7.2: STANDARDS FOR COMMUNICATIONS SPECIALISTS

- a. Candidates shall meet the minimum standards established by Oregon DPSST, including the following ([OAR 259-008-0011](#)):
- b. Be a citizen of the United States within 18 months of hire date;
- c. Be at least 18 years of age;
- d. Be fingerprinted for a check by the Oregon State Police Identification Services Section;
- e. Be free of convictions for any of the following:
- 1) Any felony;
 - 2) Any offense for which the maximum term of imprisonment is more than one year;
 - 3) Any offense related to the unlawful use, possession, delivery or manufacture of a narcotic, controlled substance, or dangerous drug;
 - 4) Any offense which could subject the candidate to a denial or revocation of a telecommunicator license pursuant to [OAR 259-008-0070](#).
- f. Be of good moral fitness;
- g. Possess a high school diploma, GED equivalent or a four-year advanced degree;

- h. Complete a medical examination;
- i. Meet the physical standards set forth in OAR 259-008-0011.

801.8: JOB DESCRIPTIONS

The Support Services Division Captain should ensure that a current job description is maintained for each position in the Department. At the direction of the Support Services Captain, the Administrative Lieutenant will coordinate a review of department job descriptions every four years.

801.9: PROBATIONARY PERIODS

The Support Services Captain should coordinate with the Albany Department of Human Resources to identify positions subject to probationary periods and procedures for:

- a. Appraising performance during probation;
- b. Assessing the level of performance required to complete probation;
- c. Extending probation;
- d. Documenting successful or unsuccessful completion of probation.

801.10: ILLEGAL USE OR POSSESSION OF DRUGS

- a. The following examples of drug use or possession will be considered automatic disqualifiers for public safety applicants:
 - 1) Having sold, produced, cultivated, or transported for sale marijuana;
 - 2) Used marijuana for any purpose within the past 12 months;
 - 3) Used marijuana other than for experimentation;
 - 4) Used marijuana while employed or appointed as a peace officer;
 - 5) Illegally sold, produced, cultivated, or transported for sale a dangerous drug or narcotic;
 - 6) Illegally used a dangerous drug or narcotic, other than marijuana, for any purpose within the past seven years;
 - 7) Illegally used a dangerous drug or narcotic other than for experimentation;
 - 8) Illegally used a dangerous drug or narcotic while employed or appointed as a peace officer;
 - 9) Demonstrated a pattern of abuse of prescription medication.
- b. The use of marijuana, or a dangerous drug or narcotic is presumed to be not for experimentation if:

- 1) The use of marijuana exceeds a total of 30 times; or
 - 2) The use of any dangerous drug or narcotic, other than marijuana, in any combination exceeds a total of five times, or exceeds one time since the age of 21 years.
- c. The use of medical marijuana may be considered an exception based on the totality of the circumstance. The decision to hire is at the discretion of the Chief of Police.

801.11: OPERATION OF A MOTOR VEHICLE

- a. The Background Investigator will evaluate an employment applicant's current driving status and driving history prior to employment. The applicant should have:
- 1) The ability to possess a valid Oregon driver's license;
 - 2) The ability to drive safely;
 - 3) The ability to control vehicles at high speeds;
 - 4) The ability to operate a motor vehicle in all types of weather conditions.
- b. The following shall be disqualifying:
- 1) Receipt of three or more moving violations (or any single instance of a potential life-threatening violation, such as reckless driving, speed contest, suspect of a pursuit, etc.) within three years prior to application. Moving violations for which there is a factual finding of innocence shall not be included.
 - 2) Involvement as a driver in two or more chargeable (at fault) collisions within three years prior to date of application.
 - 3) A conviction for driving under the influence of alcohol and/or drugs within three years prior to application or any two convictions for driving under the influence of alcohol and/or drugs.

801.12: INTEGRITY

- a. The Background Investigator will evaluate an employment applicant's history of integrity utilizing the following general guidelines prior to employment. The applicant should have demonstrated characteristics where applicable such as:
- 1) The ability to refuse to yield to the temptation of bribes, gratuities, payoffs, etc.;
 - 2) The ability to refuse to tolerate unethical or illegal conduct on the part of other law enforcement personnel or co-workers where applicable;
 - 3) Demonstrate strong moral character and integrity in dealing with the public;

4) Demonstrate honesty while interacting with the public.

b. The following shall be disqualifying:

- 1) Any material misstatement of fact or significant omission during the application or background process shall be disqualifying, including inconsistent statements made during the initial background interview (Personal History Statement or Supplemental Questionnaire) or discrepancies between this department's background investigation and other investigations conducted by other law enforcement agencies.
- 2) Any forgery, alteration, or intentional omission of material facts on an official employment application document or sustained episodes of academic cheating.

801.13: CREDIBILITY

a. The Background Investigator will evaluate an employment applicant's ability to give testimony in a court of law without being subject to impeachment due to the candidate's honesty or veracity (or their opposites) or due to a prior felony conviction.

b. The following may be disqualifying:

- 1) Conviction of any criminal offense classified as a misdemeanor under Oregon law within three years prior to application;
- 2) Conviction of two or more misdemeanor offenses under law as an adult;
- 3) Conviction of any offense classified as a misdemeanor under Oregon law while employed as a peace officer (including military officers);
- 4) Admission of having committed any act amounting to a felony (including felonies treated as misdemeanors at sentencing under Oregon law, as an adult, within five years prior to application or while employed as a peace officer (including military police officers);
- 5) Admission(s) of administrative conviction of any act while employed as a peace officer (including military police officers) involving lying, falsification of any official report or document, or theft;
- 6) Admission(s) of any criminal act, whether misdemeanor or felony, committed against children including but not limited to: molesting children, child abduction, child abuse, lewd and lascivious acts with a child, or indecent exposure. Acts of consensual unlawful intercourse accomplished between two minors shall not be included, unless more than three years difference in age existed at the time of the acts;
- 7) Any history of action resulting in civil lawsuits against the applicant or their employer may be disqualifying.

801.14: DEPENDABILITY

- a. The Background Investigator will evaluate an employment applicant's history of dependability utilizing the following general guidelines prior to employment. The applicant should have demonstrated characteristics where applicable such as:
- 1) A record of submitting work on time and not malingering;
 - 2) A record of being motivated to perform well;
 - 3) A record of dependability and follow-through on assignments;
 - 4) A history of putting forth the effort required for complete accuracy in all details of work;
 - 5) Willingness to work the hours needed to complete a job;
 - 6) The ability to refuse to yield to the temptation of bribes, gratuities, payoffs, etc;
 - 7) The ability to refuse to tolerate unethical or illegal conduct on the part of other law enforcement personnel or co-workers where applicable;
 - 8) Demonstration of strong moral character and integrity in dealing with the public;
 - 9) Demonstration of honesty while interacting with the public.
- b. The following may be disqualifying:
- 1) Missing any scheduled appointment during the selection process without prior permission;
 - 2) Having been disciplined by any employer (including military) as an adult for abuse of leave, gross insubordination, dereliction of duty or persistent failure to follow established policies and regulations;
 - 3) Having been involuntarily dismissed (for any reason other than lay-off) from an employer as an adult;
 - 4) Having a work history that indicates an inability to maintain a long-term relationship with an employer or to establish and work toward achieving long-term goals;
 - 5) For officer applicants; having undergone personal bankruptcy more than once; having current financial obligations for which legal judgment have not been satisfied; currently having wages garnished; or any other history of financial instability. The credit history of an applicant or employee shall not be used or obtained as part of an employment decision, including hiring, discharge, promotion or demotion, unless the position qualifies as a public safety officer as defined in [OAR 839-005-0075 \(ORS 659A.320\)](#);

- 6) Resigning from any paid position without notice may be disqualifying, except where the presence of a hostile work environment is alleged;
- 7) Having any outstanding warrant of arrest at the time of application.

801.15: LEARNING ABILITY

- a. The Background Investigator will evaluate an employment applicant's history of being able to comprehend and retain work related information utilizing the following general guidelines prior to employment. The applicant should have demonstrated characteristics where applicable such as:
 - 1) The ability to recall information pertaining to laws, statutes, codes, etc.;
 - 2) The ability to learn and apply what is learned;
 - 3) The ability to learn and apply the material, tactics, and procedures that are required of a law enforcement officer;
- b. The following may be disqualifying:
 - 1) Being under current academic dismissal from any college or university where such dismissal is still in effect and was initiated within the past two years prior to the date of application;
 - 2) Having been academically dismissed from any DPSST certified basic law enforcement academy wherein no demonstrated effort has been made to improve the deficient areas, except; subsequent successful completion of another DPSST basic law enforcement academy shall rescind this requirement.

801.16: PERSONAL SENSITIVITY

- a. The Background Investigator will evaluate an employment applicant's demonstrated history of being able to resolve problems in a way that shows sensitivity for the feelings of others utilizing the following general guidelines prior to employment. The applicant should have demonstrated characteristics where applicable such as:
 - 1) Empathy;
 - 2) Discretion (not enforcing the law blindly);
 - 3) Effectiveness in dealing with people without arousing antagonism;
 - 4) The ability to understand the motives of people and how they will react and interact.
- b. The following may be disqualifying:

- 1) Having been disciplined by any employer (including military and/or any law enforcement training facility) for acts constituting racial, ethnic or sexual harassment or discrimination;
- 2) Uttering any epithet derogatory of another person's race, religion, gender, national origin or sexual orientation;
- 3) Having been disciplined by any employer as an adult for fighting in the workplace.

801.17: JUDGMENT UNDER PRESSURE

- a. The Background Investigator will evaluate an employment applicant's demonstrated history of being able to apply common sense during pressure situations utilizing the following general guidelines prior to employment. The applicant should have demonstrated characteristics where applicable such as:
 - 1) The ability to make immediate, sound decisions;
 - 2) The ability to use good judgment in dealing with potentially explosive situations;
 - 3) The ability to make effective, logical decisions under pressure.
- b. The following may be disqualifying:
 - 1) Admission(s) of administrative conviction or criminal convictions for any act amounting to assault under color of authority or any other violation of federal or state Civil Rights laws;
 - 2) Any admission(s) of administrative conviction or criminal conviction for failure to properly report witnessed criminal conduct committed by another law enforcement officer.