



# Policy 1738

Subject <b>COMMAND PROMOTIONS AND PROMOTION COMMITTEE</b>	
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*By Order of the Police Commissioner*

## POLICY

The purpose of this policy is to establish the minimum guidelines and describe the selection procedure for promotion to the command ranks of Captain and Major. For ranks above Major, the Police Commissioner may promote individuals at their discretion.

## CORE PRINCIPLES

**Fair and Equitable.** The Baltimore Police Department (BPD) has established a promotional process that is fair and equitable to all eligible members.

**Qualifications for Promotion.** The minimum qualifications for each position shall be made with careful consideration, to ensure that the required training level, experience, and past performance matches, as closely as possible, the responsibilities incumbent to the rank.

**Upward Mobility.** The BPD supports each member who seeks a higher rank within the agency and will use a transparent and objective process to make promotion decisions. This process includes:

- Written application
- Interviews
- Assessment of Candidate's work history by the Promotion Committee

**Discretionary Privilege.** The Police Commissioner possesses discretionary privilege in the selection of Candidates for promotion, and may either concur with or dissent from the promotion recommendations of the Promotion Committee. However, such Discretionary Privilege is limited to Candidates placed in Promotion Bands A ("highly recommended") and B ("recommended"). The Police Commissioner cannot promote any candidate placed into Band C ("not recommended") by the Promotion Committee. No promotions are effective until final approval, in writing, by the Police Commissioner.

## DEFINITIONS

**Candidate** — A member of the BPD who has successfully met the requirements for promotion to a rank higher than the one they currently fill in a permanent capacity, and who is under review by the Promotion Committee.

**Command Ranks** — Positions holding the rank of Captain or Major.

**Conflict of Interest** — With respect to the Evaluation Process, any circumstance and/or relationships associated with a Candidate that could generate partiality in the judgment of a member of the Promotion

Committee. Such conflicts include, but are not limited to: relationships of kin, past or present romantic or financial relationships or interests, or any other influencing factor which could compromise, in a positive or negative direction, the ability of a committee member to evaluate the Candidate(s) in a fair and unbiased manner.

**Deferral** — The action of postponing the recommendation of a candidate for promotion by the Promotion Committee. A Deferral of a Candidate for promotional consideration must be based on an articulable reason.

**Egregious or Serious Act of Misconduct** — Any act which has an offense range where the penalty is a Category D or greater, as articulated in Policy 310, *Disciplinary/Failure to Appear and Traffic Matrix*.

**Employee Information Report** — A report that lists an employee's history as it pertains to training, education, discipline, awards/commendations, uses of force, performance evaluations, and previous assignments.

**Evaluation Process** — The process by which the Promotion Committee scores Candidates during review. This process evaluates four categories dictating a Candidate's qualifications, each of which is assigned a point value on a scoring matrix. The categories are as follows:

1. Application materials
2. Interview
3. Prior work performance
4. Overall impressions

**Promotion Band** — Any one of the three categories (A - "highly recommended"; B - "recommended"; or C - "no recommendation") into which Candidates are placed following a complete review by the Promotion Committee. A Candidate's Promotion Band reflects the findings of the Promotion Committee according to the scores for the Evaluation Criteria set forth in this policy.

**Sustained** — Where an investigation determines, by a preponderance of the evidence, that alleged misconduct did occur.

## **GENERAL**

### **Promotion Committee**

1. The Promotion Committee will be composed of:
  - 1.1. Deputy Commissioners,
  - 1.2. Police Commissioner's Chief of Staff (Chairperson),
  - 1.3. Chief of Patrol (Colonel) and Chief of Detectives (Colonel), and/or Lieutenant Colonels serving as their direct subordinates, as approved by the Police Commissioner,
  - 1.4. Equity Officer (non-voting member), and

- 1.5. Additional members as appropriate, at the discretion of the Police Commissioner.
2. The Police Commissioner has complete discretion over the composition of the Promotion Committee, with the exception of the Equity Officer, who must take part in all promotion proceedings for Command Ranks.

**Recusals, Absences, and Notifications**

3. Prior to beginning the Evaluation Process, the Chairperson will forward the list of Candidates under consideration to the Promotion Committee, in order to identify any potential Conflicts of Interest.
4. All members of the committee must then submit to the Chairperson a recusal certification form prior to the commencement of interviews.
5. In the case of a recusal or other absence for which an appropriate substitute cannot be identified or assigned to the Committee, the Chairperson shall take, for each Candidate undergoing the Evaluation Process, an average of the scores in each category in lieu of a substitute's participation.

**Chief of Staff - Responsibilities**

6. Schedule and lead Promotion Committee meetings, collecting member recommendation forms and forwarding recommendations made by the Committee to the Police Commissioner.
7. Collect and forward all recusal forms and Equity Officer statements (see **13**. Below) to the Police Commissioner.
8. Facilitate discussions of Candidates amongst members of the Promotion Committee.
9. Participate in the assessment and scoring of Candidates.

**Equity Officer – Responsibilities**

10. Review documents pertaining to promotion proceedings, observe proceedings, and record and preserve contemporaneous notes of the promotion process at the direction of the Chairperson.
11. Act as an advisor to the Chairperson regarding any known or foreseeable violations of law, policy, procedure, or other rules governing the promotion process.
12. Ensure consistent and timely communication between the Human Resources Section, the Legal Affairs Section, and the Promotion Committee to ensure that the committee has all necessary and useful information to meet its goals and comply with all laws, policies, procedures, and other rules.
13. Research and recommend revisions to policies or procedures to promote equity, committee effectiveness, and compliance.

14. Upon conclusion of the Evaluation Process for all candidates, issue a written statement (Form 95) certifying whether the promotion proceedings have been conducted in a fair and impartial manner, and in compliance with all relevant equity laws, rules, and BPD policies. If any part(s) of the Evaluation Process are found to be out of compliance with the above, the Equity Officer shall provide an outline of each observed violation, along with recommendations for corrective measure(s), to the Chief of Staff.

#### **Promotion Review Process for Command Ranks**

15. The promotion review process will begin with a call for applications for members interested in being promoted to the command ranks. The announcement shall include the following information:
  - 15.1. Rank and description of the position.
  - 15.2. Salary range.
  - 15.3. Opening and closing dates for the posting, with a minimum open period of 14 calendar days.
  - 15.4. Application form and instructions for the application.
  - 15.5. Evaluation Criteria.
  - 15.6. Copy of the specific scoring matrix to be used for the position.
  - 15.7. Expiration date(s) for all scores obtained through the Evaluation Process.
16. The department shall make every effort to ensure wide distribution of the announcement. Distribution of the posting shall occur via department-approved channels or platforms at least three times prior to the closing date of the announcement.
17. No member who fails to submit the necessary application materials by the closing date, or who has not been vetted through this promotion review process, shall be promoted or considered for promotion.
18. Eligible members seeking promotion shall then complete any required application materials and submit them to the Director of Human Resources.
19. Human Resources shall create an Employee Information Report for each member who has applied for promotion. This report shall be forwarded to the Promotion Committee upon completion.
20. The Promotion Committee shall meet as directed by the Police Commissioner or Chief of Staff to review the Employee Information Reports of eligible members.
21. Once the Promotion Committee has reviewed all of the application materials and Employee Information Reports of Candidates eligible for promotion, it will hold interviews with each

Candidate to further examine their background and qualifications. Scores will then be collected from each member of the Committee to establish Promotion Bands. Finally, the recommendations of the Committee will be forwarded, in writing, to the Police Commissioner for consideration.

#### Factors to Consider for Promotion

The Promotion Committee will consider the following factors when assessing a candidate's promotional eligibility:

22. Application materials.
23. Tenure in both the department and the police profession.
24. Disciplinary actions, criminal and complaint history, including that of other agencies at which the candidate may have served.
25. Education.
26. Agency and civilian commendations.
27. The candidate's interview:
  - 27.1. Interpersonal and leadership skills.
  - 27.2. Community policing and neighborhood problem-solving skills.
    - 27.2.1. Demonstrated commitment to community engagement and building trust with communities, and effective use of community policing and neighborhood problem-solving strategies.
    - 27.2.2. Effective use of community policing strategies, commitment to bias-free policing.
  - 27.3. Communication and decision-making skills.
    - 27.3.1. Effective use of de-escalation and crisis management techniques.
  - 27.4. Prior work performance and demonstrated fulfillment of their supervisory duties, including:
    - 27.4.1. Successful application of de-escalation and crisis management techniques.
    - 27.4.2. Demonstrated integrity and ethical decision-making.
    - 27.4.3. Number and circumstances of the use of force, including any found to be in violation of policy, as well as use of force complaints.
    - 27.4.4. Quality and accuracy of officer reports (search warrants, supportive affidavits, etc.).

27.4.5. Specialized leadership or management training.

27.5. Overall impressions:

27.5.1. Support for departmental integrity measures.

27.5.2. Annual performance evaluations.

**NOTE:** Additional factors may be considered but must be published in writing to all candidates prior to the commencement of the promotional review process.

#### Promotion Deferral

Candidates may not be offered an interview if any of the following are found:

28. Within the past five years, Sustained complaints of misconduct which have resulted in an assessed penalty greater than a letter of reprimand.
29. Ongoing investigation of a complaint, to be considered by the Promotion Committee on a case-by-case basis.

#### Promotion Ineligibility

30. Candidates with any Egregious or Serious Act(s) of Misconduct shall be deemed ineligible for promotion for no less than a period of two years following the completion date of the assessed penalty.
31. Candidates who are not able to serve in a full duty status may be deferred or deemed ineligible for promotion based on a review of the facts and circumstances surrounding the reason for ineligibility.

**NOTE:** Protected leave such as Military leave or FMLA leave will not be considered a lapse in eligibility for promotions.

#### **Selection for Promotion**

32. Following internal deliberations, a composite score is assigned to each Candidate by each member of the Promotion Committee, according to the parameters set forth in the scoring matrix appended to the job announcement.
33. All of a Candidate's composite scores are tabulated into an aggregate score to be used for comparison to other Candidates.
34. A matrix containing the aggregate scores of all Candidates, organized into Promotion Bands, is prepared by the Chief of Staff and forwarded to the Police Commissioner for consideration.

35. The Police Commissioner shall retain a list of Candidates and their aggregate scores for consideration in future opportunities or vacancies arising from operational need until the expiration date(s) specified for said scores in the job announcement.
36. The Police Commissioner, exercising Discretionary Privilege and choosing only from among the Candidates who have undergone the formal application and review process, selects the preferred Candidate(s) for promotion as vacancies arise.
37. The Police Commissioner or his designee shall notify Candidates of the outcome of their applications for promotion, citing general reasons for why their promotion was recommended or deferred.

**ASSOCIATED POLICIES**

Policy 306, *Complaint Intake and Classification Process*  
Policy 310, *Disciplinary/Failure to Appear and Traffic Matrix*  
Policy 1701, *Equal Employment Opportunity and Diversity*  
City of Baltimore Administrative Manual AM 205-20  
City of Baltimore Administrative Manual AM 235-1

**COMMUNICATION OF POLICY**

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.