

## **32.0 SELECTION**

**PURPOSE:** To establish systematic procedures for the selection of personnel in a fair manner based on qualifications, and competitive testing without discrimination based on sex, race, religion, age, disability, or ancestry.

### **DEFINITIONS**

**Certified Position:** Any position in the Sheriff's Office that is regulated and required to be certified by the Maryland Police and Correctional Training Commission.

## **32.1 Professional and Legal Requirements**

### **32.1.1 Elements and Activities of the Selection Process**

#### **32.1.2 Recruit Entry Program**

- A. It is the goal of the Sheriff's Office to recruit the best candidates available in accordance with this Order. Actual hiring periods are determined by positions allocated by the Board of County Commissioners, and by the turnover rate of personnel in existing positions. Recruitment activities, however, will be continuous in order to identify the most qualified candidates when a vacancy occurs.

Because the Sheriff of Washington County is an elected official of the State of Maryland, he retains full authority in the implementation of a recruitment plan and hiring/termination decisions. The Sheriff retains the right to deviate from this order if, in his professional opinion, it is in the best interest of the agency. In any event, recruitment activities will be conducted in accordance with local, State, and Federal law.

The Sheriff of Washington County shall retain the following prerogatives in dealing with the selection of departmental personnel:

1. Identification of specific needs of the Department
2. Determination of skills and attributes required for positions.
3. Selection of tests used to measure skills and attributes of candidates. .
4. Management of background investigations
5. Oral interviews
6. Final selection of personnel based on possession of traits sought by the Department.

- B. The Sheriff's Office allows re-application and testing of candidates not appointed to probationary status during a selection period because:
1. No selection component is perfectly reliable.
  2. The candidate may acquire new skills/knowledge.
  3. A reduction in any adverse impact is possible through re-testing.
  4. Re-testing will minimize charges of unfairness against the selection process.
- C. Applications will be distributed and accepted as stated in this order and will be of a form approved by the Sheriff of Washington County.
- The Sheriff's Office will clearly state that any fraudulent responses on applications will result in the candidate being disqualified from the selection process.
- D. Applications for employment will contain only those questions/statements allowed by law, with input from the Washington County Government's Director of Human Resources.
- E. The Training Coordinator will track all applications and maintain a log of the applications.
- F. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to initiation of the selection process.
- G. Applications will be kept on file for a minimum of one year.
- H. Minimum qualifications for employment with the Sheriff's Office
1. Minimum qualifications for employment as a sworn law enforcement officer and correctional officer.
    - a. Sworn law enforcement officer requires a minimum age of 21 at time of appointment or at time of graduation from entrance level training.  
Title 12. Department of Public Safety & Correctional Services. Section 12.04.01.04 A.
    - b. Correctional officer requires a minimum age of 18 to begin entrance-level training.  
Title 12 Department of Public Safety & Correctional Services. Section 12.10.01.04 A.

- c. U.S. citizenship and ability to furnish required documentation verifying citizenship. Title 12, Department of Public Safety & Correctional Services, Subtitle 12.04.01.04B and Subtitle 12.10.01.04A
  - d. Possess a high school diploma or G.E.D. issued or recognized by the Maryland State Board of Education. Title 12. Department of Public Safety & Correctional Services, Subtitle 04.01.04 B. and Subtitle 10.01.04 C.
  - e. Possess a valid driver's license.
  - f. Eyesight correctable to 20/20 in both eyes.
  - g. Ability to read, write and speak the English language in a clear, effective manner using proper pronunciation and grammar.
  - h. Possess good moral character and reputation, be emotionally stable and display the necessary behavior to perform the duties of a police officer or correctional officer.
  - i. No felony convictions nor misdemeanor convictions that are specified in the listed titles. Title 12, Department of Safety & Correctional Services. Subtitle 12.10.01.20A and Subtitle 12.04.01.05B.
  - j. Ability to pass pre-employment competitive testing, including but not limited to written, physical and oral interviews.
  - k. Ability to pass a comprehensive background investigation, including but not limited to a truth verification test. Title 12, Department of Safety & Correctional Services, Subtitle 12.04.01.05A and Subtitle 12.10.01.04D.
  - l. Ability to pass pre-employment physical and mental health examinations. Title 12, Department of Safety & Correctional Services, Subtitle 12.04.01.04E and Subtitle 12.10.01.04E.
  - m. Ability to pass the drug screening procedures. Title 12, Department of Safety & Correctional Services. Subtitle 12.04.01.15 and 12.10.01.21.
2. Minimum qualifications for employment as a Civilian Employee
- a. Minimum age of 18 at time of appointment.

- b. U.S. citizenship and ability to furnish required documentation verifying citizenship.
- c. Possess a high school diploma or G.E.D. issued or recognized by the Maryland State Board of Education.
- d. Possess a valid driver's license.
- e. Ability to read, write and speak the English language in a clear, effective manner using proper pronunciation, diction and grammar.
- f. Possess good moral character and reputation, be emotionally stable and display the necessary behavior to perform the duties of a police officer or correctional office.
- g. No felony convictions.
- h. No misdemeanor convictions for which a sentence of 1 or more years of incarceration could have been imposed.
- i. Ability to pass pre-employment competitive testing, including but not limited to written and oral examinations.
- j. Ability to pass a comprehensive background investigation.
- k. Ability to pass a truth verification test for certain positions within the sheriff's office.
- l. Ability to pass post-employment offer testing, including but not limited to medical and drug testing.

### **32.1.3 Lateral Entry Program**

#### **A. Patrol and Judicial Divisions**

A Lateral Entry Program has been established for the Washington County Sheriff's Office to maximize the recruitment of "experienced" police officers by providing a more competitive and attractive entry salary for those who are current/former law-enforcement.

In order to be considered for the Lateral Entry Program a candidate must successfully complete a medical physical, a physical agility test, psychological test, truth verification test, and any other testing at the direction of the Sheriff and;

In order to qualify for Patrol/Judicial **salary grade step 2**, a candidate must:

- 1. Currently be a certified police officer in another jurisdiction other than the State of Maryland, and

2. Have had a minimum of two continuous years of full-time law enforcement experience performing police duties and functions where they were authorized to carry and use a firearm, make arrests, etc.
3. Be eligible to be certified as a Maryland law-enforcement officer by the Maryland Police Training and Standards Commission after they successfully complete an approved “Comparative Compliance Program”.
4. Attendance at an entry-level training academy may not be applied to the two-year minimum time period; however, up to 4 months of the time spent during another agency’s “approved” field training program may be applied to the two-year minimum time period.

In order to qualify for **salary grade step 3**, a candidate must:

1. Currently be a “Certified” Maryland police officer or be eligible for certification by the Maryland Police Training and Standards Commission.
2. Have had a minimum of two continuous years of full-time police experience in Maryland performing police duties and functions where they were authorized to carry and use a firearm, make arrests, etc.
3. Attendance at an entry-level training academy may not be applied to the two-year minimum time period; however, up to 4 months of the time spent during another agency’s “approved” field training program may be applied to the two-year minimum time period.

#### B. Detention Division

A Lateral Entry Program has been established for the Washington County Sheriff’s Office to maximize the recruitment of “experienced” correctional deputies by providing a more competitive and attractive entry salary for those who are current/former correctional officers.

In order to be considered for the Lateral Entry Program a candidate must successfully complete a medical physical, a physical agility test, psychological test, truth verification test, and any other testing at the direction of the Sheriff and;

In order to qualify for Correctional **salary grade step 2**, a candidate must:

1. Currently be a certified as a corrections officer in another Jail/Correctional Institution other than the State of Maryland, and

2. Have had a minimum of two continuous years of full-time corrections experience where they performed corrections duties and functions on a full-time basis.
3. During the two years of service have received annual in-service training as required by their former employer and the State they were employed.
4. Attendance at an entry-level training academy may not be applied to the two-year minimum time period; however, time spent during another agency's "approved" field training program may be applied to the two-year minimum time period.

In order to qualify for Correctional **salary grade step 3**, a candidate must:

4. Currently be certified as a corrections officer by the Maryland Correctional Training Commission, and
5. Have had a minimum of two continuous years of full-time corrections experience in Maryland and performed corrections duties and functions on a full-time basis during the certification period.
6. During the two years of service have received annual in-service training as required by the Maryland Correctional Training Commission to maintain certification.
5. Attendance at an entry-level training academy may not be applied to the two-year minimum time period; however, time spent during another agency's "approved" field training program may be applied to the two-year minimum time period.

#### **32.1.4 Testing**

##### **A. Physical Fitness Test/Handgun Familiarization Test**

1. All applications will be reviewed and those candidates that meet the minimum qualifications will be given the opportunity to participate in the Physical Fitness Test/Handgun Familiarization Test. The Training Coordinator or his designate will administer the tests.
2. Being familiar with and able to fire a handgun is part of the job description for a sworn Patrol and Judicial Deputy Sheriff. Therefore, all candidates for the position of Patrol and Judicial Deputy will be required to successfully complete a Handgun Familiarization Test prior to a background investigation being initiated.

Should the candidate not successfully complete the Physical Fitness Test or Handgun Familiarization Test, he/she will be disqualified from further processing for Deputy Sheriff at that time. Second and subsequent testing will be determined on a case-by-case basis.

B. While a written test cannot totally assess the entire range of skill, and mental processes that relate to job competency, there are generic traits that are necessary in succeeding in a public safety career. These traits can be evidenced, to a degree, through valid written tests and include:

1. Evidence of literacy and the ability to communicate in writing.
2. Ability to make decisions
3. Ability to solve problems under time limits.
4. All candidates that pass the physical fitness testing and handgun familiarization testing will be offered a written examination.
5. A written test will be purchased/rented/leased from a reputable company specializing in police entry level testing.
6. The test will be certified/validated as not having an adverse impact on any minority group and said documentation will be held on file at the Sheriff's Office.
7. It is possible not all candidates will be offered the written test.
8. The written test will be offered on dates and times and at a location that minimizes inconvenience to candidates.
9. Notices for the written test will be mailed to candidates at least two weeks prior to the test date.
10. The test administrator will follow the directions given by the test company exactly in order to minimize any adverse impact on the candidates and to ensure a fair test atmosphere.
11. Responsibility for the security of test materials lies with the test administrator.
12. All candidates that score a minimum of 70% will be invited for the structured oral interview.

C. Structured oral interviews provide a controlled opportunity to observe the candidate and will be conducted by a minimum of three supervisors (lieutenant and below)

1. Communicate while in a stress situation.
2. Make an immediate judgment while in a stressful situation.
  - a. Oral testing will be comprised of valid procedures to include:
    - (1). Interview Board Composition: Interview Board Members will be comprised of personnel as designated by the Division Commander or his designate.
    - (2) Interview Board Instruction and Training: Board members will be supplied with instructions outlining guidelines for the interview. Guidelines will describe dimensions and qualities desired in a candidate. Members will be given uniform rating instructions.
    - (3). Interview Procedures: A list of standardized questions will be supplied to board members, and all candidates interviewed will be asked the same questions. From responses, members may ask additional questions for clarification. Board members will be encouraged to take notes of candidate's answers for review.

Candidates will be scored on a uniformed grading form supplied to board members and the minimum passing score will be 70%.
- D. After the written test and oral interviews are completed, the scores for both tests will be computed resulting in an aggregate score. (See Attachment "A" for formula) The written test will account for 50% of the score, and the oral interview 50%. If a candidate is disqualified in a later state of the selection process, the candidate on the list with the next highest score will advance.
- E. All available information will be forwarded to the Sheriff who will conduct Command Staff interviews at his discretion.
- F. Upon the conclusion of the above steps, the Sheriff will determine who to begin background investigations on.
- G. Candidates who fail to achieve a passing score at any point in the selection process will be notified in writing that they have been disqualified from any further consideration for employment and the reason for the disqualification.



- H. Candidates who receive a letter of disqualification may reapply for employment during the next regularly scheduled hiring event.

### **32.1.5 Selection Process Validity**

- A. The authority and responsibility for administering the recruitment and selection program is assigned to the Training Coordinator. The Training Coordinator will initiate and direct departmental recruitment and selection efforts in accordance with this Order.
- B. The validity and usefulness of all facets in the selection process will be determined through construct, content, or criterion validation procedures. Any test or procedure procured from a commercial vendor will be accompanied by evidence of validation.
- C. Selection rates for each race, sex, and ethnic group testing for employment, will be compared with the group having the highest selection rate to monitor any adverse impact.
- D. All reasonable efforts will be made to minimize adverse impact in the selection process.
- E. Adverse Impact Monitoring
  - 1. Records necessary to monitor possible adverse impact will be maintained by the Training Coordinator.
  - 2. Recruitment, selection, and promotional data will be reviewed annually to monitor any possible adverse impact.
- F. Selection Process Evaluation

The entire selection process will be evaluated on an annual basis to determine its efficiency and if the needs of the department are being met. Recent literature and case law on selection procedures will be reviewed on a continuing basis.

### **32.1.6 Selection Criteria**

- A. The selection criteria of deputies and civilian staff is comprised of many elements. All elements of the process will be administered, scored, evaluated, and interpreted in a standard, uniform manner.
- B. Whenever possible, personnel involved in the selection process will be representative of race, sex, and ethnic groups reflecting the department's service area. This approach will enhance the confidence of candidates and the public that the department is selecting personnel without regards to race, sex, religion, and ancestry.

### **32.1.7 Information to All Candidates**

- A. At the time of formal application, candidates are informed in writing through recruitment literature of all elements of the selection process.
- B. Elements of the process will be outlined to include:
  - 1. Physical Fitness and Handgun Familiarization Test, (only Patrol and Judicial deputies are required to undergo handgun familiarization testing.)
    - a. Prior to appointment, candidates for sworn positions will undergo a strength and physical agility test to determine strength, endurance, coordination, and ease of movement. Valid, useful, and job-related procedures will be used in testing.
    - b. Physical and age qualifications will meet requirements of validity, utility, and will be monitored for any possible adverse impact.
  - 2. Written Test and Oral Interview
  - 3. Background Investigation
    - a. Medical
    - b. Psychological,
    - c. Polygraph or CVSA exam
    - d. Drug Testing
- C. Candidates will also be provided written notice through recruitment literature of the expected duration of the selection process, and of notice regarding the process for re-application in event of non-acceptance.
- D. All candidates not selected for hire will be notified in writing within thirty days. Copies of the notification will be kept in the selection process files.
- E. Records of all candidates not selected for hire will be kept in accordance with 32.2.9

### **32.1.8 Selection Materials Security**

- A. Selection materials will be stored in a locked area when not in use. Security for materials will lie with the Chief Deputy (or his designate). The Chief Deputy will grant access to the material only to employees involved in the administration of the selection process. If any selection

material is disposed of it shall be disposed of in a manner that prevents disclosure of the information.

## **32.2 Administrative Practices and Procedures**

### **32.2.1 Background Investigations**

Because all employees (civilian and sworn) have access to law enforcement computer systems containing criminal history information and Sheriff's Office criminal records, a complete background investigation (as stated in this section) will be completed on all candidates selected for employment in those divisions.

#### **A. Background Investigation**

1. A background investigation will be completed on each candidate prior to appointment to probationary status and will be completed in accordance with current Maryland Police and Correction Training Commission regulations and applicable laws. Areas of the candidate's background to be investigated will include, but not be limited to:
  - a. Candidate's qualifying credentials
  - b. Criminal history check
  - c. Fingerprint check
  - d. Military record, if applicable
  - e. Credit records
  - f. At least three (3) personal references
  - g. Education, diplomas, etc.
  - h. Neighbors
  - i. Present/past employers
  - j. Post job offer medical examination
  - k. Strength/agility test
  - l. Driver's license check/Driving record check
  - m. Past/present coworkers

### **32.2.2 Trained Investigator – Backgrounds**

Designated personnel will conduct background investigations. They will be trained in the collection of required information and will have knowledge of the background investigative process. When designated personnel are not available the Division Commander will assign another member of the Division with experience in background investigations.

### **32.2.3 Each candidate's background** will be kept in accordance with 32.2.9

### **32.2.4 Polygraph Examination and/or Computer Voice Stress Analyzer (CVSA)**

- A. If polygraph and/or CVSA testing is to be used; it must be completed before a candidate is appointed.
- B. At the time of the background investigation candidates will be given a list of subject areas from which, polygraph and/or CVSA questions will be drawn.

### **32.2.5 Trained Personnel will conduct polygraph examination** and/or computer voice stress analyzer (CVSA).

The administration and evaluation of the test will be conducted by Sheriff's Office personnel trained in the procedure.

### **32.2.6 Prohibition of Polygraph Exam** and/or Computer Voice Stress Analyzer (CVSA) as the single determinant factor of employment

- A. The results of the polygraph and/or CVSA examination will not constitute the single determinant as to whether the candidate will be appointed but will serve as an investigative aid.
- B. Admission of criminal or other adverse information obtained during any part of the examination may be sufficient to support a decision to disqualify a candidate.

### **32.2.7 Medical Examination**

- A. The Washington County Sheriff's Office will require a physical examination as a part of the selection process after a "Conditional Offer of Employment" has been extended to a candidate, and before the individual begins work for the Sheriff's Office.
- B. If a medical examination reveals or confirms that a candidate has a disability, this information will not be used by the Sheriff's Office to unlawfully discriminate against the candidate on the basis of disability.
- C. If a medical examination reveals or confirms that a candidate has a disability, a "Conditional Offer of Employment" will be withdrawn if;

1. the disability prevents the candidate from performing essential job functions, and
  2. no reasonable accommodation can be found that would allow performance of essential functions, or such accommodation would impose an undue hardship on the Sheriff's Office.
- D. First aid and safety personnel may be informed, where appropriate, if the disability might require emergency treatment.
- E. Government officials investigating compliance with federal laws shall be provided relevant information upon request.
- F. Medical examinations will consist of job-related criteria. Any criteria that is used to screen out a candidate with disabilities will be job-related and consistent with business necessity of the Sheriff's Office, and based upon performance of essential job functions that cannot be accomplished with reasonable accommodation. Any criteria that is found discriminatory will be reviewed.
- G. The examination will be conducted by a licensed physician designated by the Sheriff's Office. The Sheriff's Office or Board of County Commissioners will pay the costs for the medical examinations for candidates specifically for the purpose of determining fitness for duty.

### **32.2.8 Psychological Testing**

- A. Effective January 1, 1999, psychological testing was mandated by the Maryland Police and Correctional Training Commissions and is codified in the Code of Maryland Regulations.
- B. Psychological testing will be administered to all Patrol, Judicial and Detention deputy candidates as part of the background investigation and will not be administered until after a "Conditional Offer of Employment" is given to and accepted by the candidate.
- C. A psychological examination is designed to determine the emotional stability and psychological fitness of the candidate for law enforcement duties and will be administered prior to selection for appointment. In accordance with the Maryland Police Training Commission rules and regulations, candidates will be rejected following a final test result indicating they are not suited for law enforcement.
- D. The Training Coordinator will coordinate administration of the test. Upon receipt of the test results, they will be forwarded to the Chief Deputy to be filed in a separate medical file apart from the employee personnel file or a candidates selection process file.

### **32.2.9 Selection Process File Records Retention**

Documentation from all phases of the selection process, except the psychological test, including all background investigation material, will be made a part of the selection process file of the candidate. The selection files for candidates rejected for employment with the sheriff's office will be maintained by the Chief Deputy. Psychological testing of candidates will be maintained by the Chief Deputy and filed in a separate selection process medical file.

All selection process files, and information contained in the files are the property of the Washington County Sheriff's Office, treated as confidential, and shall only be released as stated in this or other official Sheriff's Office policy.

- A. If a charge has been filed accusing discrimination, all selection process files of the candidate relevant to the charge must be preserved until a final disposition has been reached. Relevant records include:
  - 1. Records relating to the complaint.
  - 2. Selection process material relevant to the candidates seeking the open position(s) within the sheriff's office.
  - 3. Application forms or test papers completed by all other candidates for the same position as that for which the complainant applied and was rejected.
- B. Selection process files of candidates not appointed will be maintained on file for a minimum of three (3) years.
- C. Records used to monitor possible adverse impact will be maintained on file a minimum of three (3) years.
- D. Obsolete selection materials will be maintained on file for a minimum period of three (3) years past the last date of usage.
- E. The Sheriff or Chief Deputy are the only agency members authorized to release any information regarding candidate selection or non-consideration.
- F. The Chief Deputy may, but is not required to, allow a duly authorized representative from another criminal justice agency to view information contained in a candidate's selection process file only if a proper release of information is presented:
  - 1. A proper release of authorization shall minimally include the information desired, the signature of the former candidate, and the date signed.
  - 2. The representative may take notes but will not be allowed to photocopy or remove any information.

- G. All subpoenas, summons, or other official court documents requesting information on candidates shall be forwarded to the Chief Deputy for review.
- H. Selection process files become personnel records for individuals who become employees of the Sheriff's Office. Agency guidelines for Personnel Records is contained in, **36.0 Personnel Records System**.

#### **32.2.10 Probationary Periods**

- A. Individuals who become employees of the Sheriff's Office will be evaluated during a probationary period. The probationary period and evaluation system is contained in, **35.0 Personnel Evaluation System**.

#### **32.2.11 Student Intern Program**

- A. Students pursuing a career in law enforcement or corrections can be exposed to the requirements of a law enforcement or corrections career before entering the field as a profession. The student can get firsthand observations of law enforcement or corrections operations by participating as a Student Intern.
- B. Eligibility Requirements
  - 1. Student must be enrolled and actively taking law enforcement /corrections related classes at an accredited college or high school at the time of application.
  - 2. Student must be at least 18 years of age or have the written permission of parent or legal guardian at time of acceptance into the program.
  - 3. Students must have written approval from their faculty advisor to be accepted.
  - 4. The student must complete a "waiver of liability" form as prescribed by the Sheriff of Washington County.
- C. Procedures
  - 1. The Intern candidate will submit to the Chief Deputy or his designate, a standard application form. The Chief Deputy will notify the Division Commander, and Training Coordinator of the Divisions the Intern will work in.
  - 2. The candidate or candidate's parents/legal guardians will agree to a background check, which will minimally include:

- a. Criminal records check
- 3. Any derogatory information found during the background check will be cause for rejection of the candidate for an internship.
- 4. There will be no more than two (2) internships available at any one time.
- 5. The Training Coordinators of each Division will coordinate placement of the intern in their Division.
- 6. All interns will be required to serve a minimum of sixteen hours in each Division of the Sheriff' s Office. The Sheriff' s Office will attempt to place the intern in their Division of interest; however, no guarantees can be made due to the varied duties and responsibilities of the Sheriff' s Office.
- 7. All interns will be given evaluation forms and attendance forms as prescribed by the Sheriff. Interns will be responsible for ensuring that the Deputy he/she is assigned to for that tour completes the evaluation forms.
- 8. At the completion of the internship, the intern will submit all completed evaluation forms and attendance forms to the Training Coordinator who will complete one master evaluation for the intern to submit to their faculty advisor.
- 9. Candidates for the program will be made aware that he/she is serving at the pleasure of the Sheriff of Washington County, and that the internship may be terminated by the Sheriff, at any time.
- 10. Candidates for the program will be made aware that interns are not paid, and such service is strictly voluntary.