I. POLICY

This policy provides a framework for recruiting efforts and identifying job-related standards for the selection process. The rules governing regular employment practices are established and maintained by the City of Davis, however, as allowed or required by statute, the Police Department has established additional background standards/requirements for peace officers and for other sensitive positions where there is access to CLETS/CORI or other confidential or protected documents, information, or property.

In accordance with applicable federal, state and local law, the Davis 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.

The Department will recruit, hire and retain only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

II. PROCEDURE

A. Recruitment

The Deputy Chief should employ a comprehensive recruitment and selection strategy to recruit and select members from a qualified and diverse pool of candidates.

The strategy should include:

- Identification of racially and culturally diverse target markets.
- Use of marketing strategies to target diverse applicant pools.
- 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.
- Expanded outreach through partnerships with media, community groups, academies, local colleges, universities and the military.
- Employee referral and recruitment incentive programs, if funding is made available.
- Consideration of shared or collaborative regional testing processes.

The Deputy Chief shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.
The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of their status in the recruiting process.

B. 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 comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- Driving record
- Reference checks
- Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes. Information obtained from public Internet sites
- Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- Local, state and federal criminal history record checks
- Lie detector/CVSA test (when legally permissible) (Labor Code § 432.2)
- Medical and psychological examination (may only be given after a conditional offer of employment)
- Review board or selection committee assessment

C. Veteran’s Preference

Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran’s preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

D. Background Investigation

Every candidate shall undergo a thorough background investigation to verify their personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Davis Police Department (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

E. Notices

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (ICRAA) (15 USC § 1681d; Civil Code § 1786.16).
F. State Notices

If information disclosed in a candidate’s criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

G. Review of Social Media Sites

Due to the potential for accessing unsubstantiated, private or protected information, the Deputy Chief shall not require candidates to provide passwords, account information or access to password-protected social media accounts (Labor Code § 980).

The Deputy Chief 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:

- The legal rights of candidates are protected.
- Material and information to be considered are verified, accurate and validated.
- The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Deputy Chief should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

H. Documenting and Reporting

The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate’s background investigation file (11 CCR 1953).

I. Records Retention

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

J. Disqualification Guidelines

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:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations
A candidate’s qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

K. Employment Standards

All peace officers shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.). 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. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

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. Each standard should include performance indicators for candidate evaluation. Human Resources should maintain validated standards for all positions.

L. Standards for Officers

Candidates shall meet the minimum standards established by POST (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

- Free of any felony convictions
- Citizen of the United States, or permanent resident alien eligible for and has applied for citizenship
- At least 18 years of age
- Fingerprinted for local, state and national fingerprint check
- Good moral character as determined by a thorough background investigation (11 CCR 1953)
- High school graduate, passed the GED or other high school equivalency test or obtained a two year, four year or advanced degree from an accredited or approved institution
- Free from any physical, emotional or mental condition which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)
- Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):
  - Reading and writing ability assessment (11 CCR 1951)
  - Oral interview to determine suitability for law enforcement service (11 CCR 1952)
  - In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

M. Standards for Dispatchers

Candidates shall satisfy the POST selection requirements, including (11 CCR 1956):

- A verbal, reasoning, memory and perceptual abilities assessment (11 CCR 1957)
- An oral communication assessment (11 CCR 1958)
- A medical evaluation (11 CCR 1960)

Darren Pytel
Police Chief
03/17

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