|  |  |  |
| --- | --- | --- |
| Policy #  **Hiring Practices** | Related Policies: | |
| *This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third-party civil claims against employees. A violation of this policy, if proven, can only form the basis for internal discipline and/or criminal charges.* | | |
| Applicable State Statutes: K.R.S. 15.315-.510 | | |
| KACP Accreditation Standard: 13.1, 13.2 | | |
| Date Implemented: | | Revision Date: May 1, 2025 |

1. **Purpose:**

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

1. **Policy:**

The policy of this agency is to hire only those persons qualified for employment under the Kentucky Revised Statute. This agency seeks the highest level of professionalism and integrity from its members and recognizes that this commitment begins with the selection of candidates for this agency.

1. **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 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, valid driver’s license, and POPS certification where applicable.
   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’s prescribed application form. All questions 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 employment, medical, psychological, credit, education, and 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 the written examination at the level prescribed by this agency 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.
2. The fitness standards of this agency are set in conformity with standards prescribed by the agency in accordance with the bona fide occupational qualifications.
   * 1. The fitness process shall be supervised by a certified fitness instructor.
   1. Each applicant who successfully passes the fitness test at the level prescribed by the agency will then proceed to the background examination process. This process shall include:
      1. Verification of applicant’s responses in the written application.
      2. Applicant’s driving history.
      3. Criminal history check of applicant including checks in all former states of residency.
         1. This includes that a person shall not have been convicted of any felony; a misdemeanor under KRS 510.120, 510.130, or 510.140; a second or subsequent offense under KRS 510.148; or a criminal attempt, conspiracy, facilitation, or solicitation to commit any degree of rape, sodomy, sexual abuse, or sexual misconduct.
      4. Survey law enforcement agencies in locales where the applicant has resided or is known to frequent. This survey should include a CAD inquiry of the applicant’s former residences during the period of the applicant’s residency.
      5. Credit history report.
      6. Check of national database that registers officers who have been de-certified by a state POPS.
      7. 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.)
      8. All former employers, to the extent possible, must be interviewed.
      9. Unnamed persons known to the applicant, such as neighbors, former neighbors, school officials, etc., should be sought out and interviewed.
      10. In cases where form letters have been sent out to references but have not been returned, the investigator should make every effort to contact that individual either face-to-face or by telephone to make an inquiry as to the applicant’s suitability for employment by the agency.
      11. If the applicant has already been through the basic academy for POPS certification, interviews of staff members that had direct contact with the applicant must be conducted.
      12. 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.
   2. Polygraph- The agency shall polygraph each candidate applying for the position of officer/deputy in accordance with DOCJT requirements.
   3. 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.
   4. 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.
   5. The agency will not consider persons for hire where the background examination, interview, polygraph, 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.
   6. 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.
      1. 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 on 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/sheriff. 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.
      2. 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.

**AFFIDAVIT**

STATE OF

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, being first duly sworn on oath, states as follows:

1. My name is ­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. I am applying for an employment position with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. As part of my background investigation, I have been asked to provide this sworn affidavit to attest to whether I have ever been the subject of a domestic violence investigation; a protective order related to domestic violence or an arrest based on a domestic violence charge. I understand that as a condition of employment, this background investigation requires that I provide this information. This is necessary to ensure that I meet the criteria for employment with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. I understand that this information is necessary due to federal statutes which disqualify certain individuals from possessing firearms.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Notary Public, State of my Commission \_\_\_\_\_\_\_\_\_\_\_\_\_