
	GAITHERSBURG POLICE DEPARTMENT		
	Selection, Hiring & Background		
	GENERAL ORDER	304.1	
Effective Date	10/19/2022		
Authorized by:	Mark P. Sroka CHIEF OF POLICE	SIGNATURE	DATE 10/19/2022

1. POLICY

The Department's selection process is administered by the Chief of Police, in cooperation with the City's Office of Human Resources. As used in this directive, the term "personnel" refers to both sworn and non-sworn members of the Department, unless otherwise indicated.

2. PROCEDURAL RESPONSIBILITY

2.1. Responsibilities of the Chief of Police

To the extent required to administer the selection process, the responsibilities of the Chief of Police include, but are not limited to:

- 2.1.1. Ensuring compliance with all Maryland Police and Correctional Training Commission (MPCTC) regulations and standards relating to the selection of sworn members;
- 2.1.2. Ensuring compliance with all applicable Commission on Accreditation for Law Enforcement Agencies (CALEA) standards relating to the Department's selection process;
- 2.1.3. The reviewing of all background investigations upon their completion;
- 2.1.4. The formulation and scheduling of oral interview boards;
- 2.1.5. Interviewing prospective applicants;
- 2.1.6. Making conditional job offers, pursuant to the provisions of the Americans with Disabilities Act (ADA); and
- 2.1.7. Ensuring the training of personnel in recruitment and selection.

2.2. Responsibilities of the Office of Human Resources

The responsibilities of the City's Office of Human Resources include:

- 2.2.1. Working with the Chief of Police to implement the Department's selection process;
- 2.2.2. Ensuring compliance with all applicable laws relating to personnel;
- 2.2.3. The review, distribution, and placement of all job announcements;
- 2.2.4. Participation on oral interview boards (when requested); and

- 2.2.5. Advising Department personnel on appropriate and legal recruitment and selection activities.

3. THE SELECTION PROCESS

3.1. Selection Process Manual

- 3.1.1. A comprehensive manual pertaining to the selection process is maintained by the Department, the purpose for which is to describe all of the elements, activities, procedures, and methods by which the selection process will be administered.
- 3.1.2. Notwithstanding the applicability of laws and City policies with which the selection process must comply, the Selection Process Component Manual is an official guide intended to ensure that all parts of the selection process are administered fairly, uniformly, and consistently.
- 3.1.3. To ensure compliance with the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, the Selection Process Component Manual contains information from both acts relating to recruitment, application procedures, and selection.

3.2. Process Validity

- 3.2.1. All elements of the selection process use rating criteria and minimum qualifications which are job related.
- 3.2.2. Based on the job task analysis and MPCTC standards, the Department will, through the process of content validation, show justification of the selection process components by demonstrating that they measure significant parts of the job.
- 3.2.3. The Department ensures that all elements of the selection process, administered or provided by a private sector organization or vendor, are valid and non-discriminatory.

3.3. Uniform Administration of Process

Through intensive monitoring of all phases of the process, and by training all personnel involved, all elements of the selection process are administered, scored, evaluated, and interpreted in a uniform manner.

3.4. Use of Minority Personnel to Assist with the Process

- 3.4.1. Whenever possible, Department personnel who are representative of race, sex, and ethnic groups in the Department's service area, are included in participation on interview boards, administration of written tests, and other related activities.
- 3.4.2. Personnel who participate in the administration of the selection process receive training relative to the process.

3.5. Secure Storage of Process Materials

- 3.5.1. When selection process materials are not in use, the person designated by the Chief of Police to coordinate the phase of the process for which the materials are a part ensures that the materials are not left unattended without being securely stored.
- 3.5.2. When selection materials are to be disposed of, disposal will be performed in a manner which prevents disclosure of the information contained therein.
 - 3.5.2.1. If practical, the materials are shredded and the destruction is monitored as necessary.
 - 3.5.2.2. If shredding is impractical, the Department shall employ an alternate means of destroying the materials.

3.6. Applicant Disqualification

- 3.6.1. Applicants determined to be ineligible for appointment to sworn probationary status, on the basis of non-compliance with MPCTC regulations, failure to pass a test, examination, interview or investigation, are informed of the disqualification in writing as soon as practical.
- 3.6.2. Background investigators, upon discovering that an applicant meets a Department disqualification guideline, must synopsize their findings in a memorandum and forward it, along with the investigative file, for review to the person designated by the Chief of Police to coordinate background investigations. The background investigation file is then forwarded to the Chief of Police for a determination.
 - 3.6.2.1. Background investigators do not provide hiring recommendations.
 - 3.6.2.2. An applicant is not disqualified by the background investigator, but by the Chief of Police.

3.7. Disposition of Records of Applicants not Appointed

- 3.7.1. All applications remain active for consideration, for a period of one year from the date of receipt.
- 3.7.2. All records of applicants not appointed to probationary status (including the background investigation file) are kept for a period of five (5) years in the Department's secure records archives.
- 3.7.3. An employment application, and any supporting documentation, completed or submitted by an applicant who was not selected for employment, may be shown to a prospective employer (or person

acting on behalf of the prospective employer - i.e., background investigator), contingent upon the following:

3.7.3.1. The person to whom the application pertains authorizes the release of information through a signed Authorization for the Release of Information form (or similar form by whatever name known);

3.7.3.2. In order for the Department to honor this release, it must contain language and/or have a clause indicating that the person to whom the application pertains agrees to indemnify and hold harmless the City of Gaithersburg, the person(s) to whom the release is presented, and his/her agents and employees, from any and all claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of, or by reason(s) of, complying with the release.

3.7.4. Information from the employment application will be released upon receipt of a court order seeking such information.

4. PHYSICAL FITNESS/WELLNESS ASSESSMENT

4.1. Non-Discriminatory Criteria and Procedures

When administered (for sworn positions), the physical fitness/agility/wellness assessment uses non-discriminatory and standardized criteria and procedures to evaluate an applicant's physical fitness and physical ability to perform the essential job functions (or parts thereof) of the position for which the applicant is applying.

4.1.1. The assessment is administered, scored, evaluated, and interpreted in a uniform manner.

4.1.2. The components and administration of the [Physical Agility Assessment](#) shall be in compliance with any related standards set by the MPCTC.

5. WRITTEN TESTING

5.1. Administration

5.1.1. When administered, the Department utilizes a written test which is job related and non-discriminatory.

5.1.2. Written tests are administered, scored, evaluated, and interpreted in a uniform manner.

5.1.3. When a written test is given as part of the selection process, the applicant must achieve at least a passing score in order to move to the next phase of the process.

- 5.1.4. When administered, the Department utilizes a computerized aptitude and/or skills examination for non-sworn personnel which is job related and non-discriminatory.

6. ORAL INTERVIEWS

6.1. Oral Interview Board

- 6.1.1. An oral interview of each applicant (sworn and non-sworn) is conducted prior to appointment, using valid, useful, and non-discriminatory procedures. The process is administered, scored, evaluated, and interpreted in a uniform manner.
- 6.1.2. The oral interview may be conducted by a board or panel, representative of law enforcement practitioners, selection professionals, and/or community representatives.
- 6.1.3. Oral interviews are conducted in a standardized manner in order to be effective and impartial, and results are recorded on standardized forms.
- 6.1.4. The Chief of Police ensures that persons comprising the oral interview boards are provided with an orientation/training session.
- 6.1.5. Previously employed sworn officers of the Gaithersburg Police Department, who are seeking re-employment, may be offered a one-on-one interview with the Chief of Police, or his designee, in lieu of an oral interview board.
- 6.1.6. The Department will maintain a record of all oral boards and one-on-one interviews.

6.2. One-On-One Interview with the Chief of Police

- 6.2.1. The Chief of Police (or designee) participates in the oral interview process.
- 6.2.2. The Chief of Police interviews applicants with acceptable written test, interview, and background investigation results.
 - 6.2.2.1. MPCTC regulations state that by conducting an oral interview, the Chief of Police shall certify that the applicant possesses the ability to communicate and this shall be included on the Notice of Probationary Appointment card.
 - 6.2.2.2. City Code requires that the fitness and relative ability of applicants shall be examined by an evaluation of education, training, and experience as shown on the application or by other information submitted.
- 6.2.3. The City Manager, or representatives from his/her office, may also

interview applicants for any position.

7. APPLICANT INVESTIGATIONS

7.1. Purpose and Requirements

- 7.1.1. For sworn positions, MPCTC regulations require an applicant to be of good moral character and reputation, and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search of local, state and national criminal record files. MPCTC regulations also require that a record be kept of these investigations. For applicants ultimately hired to sworn positions, the background investigation file will be maintained securely in the records archives during the employee's tenure and for at least five (5) years following separation from the Department.
- 7.1.2. Background investigations will only be conducted by personnel who have been trained in the proper methods of collecting the types of information required.
- 7.1.3. Before an applicant is appointed to probationary status in any position within the Department, a background investigation will be conducted and shall include the following:
 - 7.1.3.1. A Confidential Questionnaire appropriate to the position being sought, with a signed Authorization for Release of Information;
 - 7.1.3.2. Verification of the applicant's qualifying credentials (minimum requirements);
 - 7.1.3.3. Review of any criminal, traffic, and court records;
 - 7.1.3.4. A verification of at least three (3) personal references.
- 7.1.4. In addition to the requirements for all applicants, background investigations for sworn positions shall also include:
 - 7.1.4.1. A verification of at least three (3) character references;
 - 7.1.4.2. A check with three (3) neighbors, if possible;
 - 7.1.4.3. A check with previous employers and co-workers for the past ten (10) years for sworn personnel and current employers and co-workers for non-sworn personnel;
 - 7.1.4.4. A check of current and past neighbors for the past ten (10) years for sworn personnel and current neighbors

for non-sworn personnel;

- 7.1.4.5. A review of the applicant's credit record;
 - 7.1.4.6. A check with the applicant's family members (i.e., wife, current dating partner, fiancé, father, mother, brothers, sisters, etc.);
 - 7.1.4.7. A review of school records (high school, college, and/or trade schools);
 - 7.1.4.8. A review of military records; and
 - 7.1.4.9. Other reviews deemed necessary, or as warranted by the course of the investigation.
- 7.1.5. Based on interviews and accepted investigative techniques, background investigators seek to determine, beyond a reasonable doubt, that the police officer applicant is a loyal United States citizen and is mentally, physically, and emotionally fit to perform law enforcement duties.
- 7.1.5.1. Even though an applicant for police officer will be sent to the appropriate physician or other professional, for physical and emotional examinations following the conditional offer of employment, background investigators can still learn a great deal about the applicant's physical and mental fitness through the checking of references, family members, co-workers, etc.
- 7.1.6. Background investigations conducted on applicants for civilian positions will be commensurate with the position's duties and responsibilities.

7.2. Background Interview

- 7.2.1. When the background investigator meets with the applicant for the first time, the initial interview includes the following:
 - 7.2.1.1. The review of the Confidential Questionnaire (CQ) booklet by the investigator;
 - 7.2.1.2. Three (3) sets of fingerprints (FBI, Maryland, and RAFIS);
 - 7.2.1.3. Execution of an Authorization for the Release of Information (If not already completed as part of the CQ);
 - 7.2.1.4. Completion of a notice advising all applicants that, pursuant to Title 28, Code of Federal Regulations

(CFR), Section 50.12, their fingerprints will be sent to the FBI for a criminal records check;

7.2.1.5. Completion of a Department of Public Safety and Correctional Services Application for Criminal Background Check; and

7.2.1.6. Photographing the applicant.

7.3. Credit Reports

7.3.1. Requests for credit reports/information are coordinated with the bureau commander assigned to perform that function.

7.3.2. Applicants may produce a copy of their credit report for the investigator. However, the bureau commander, or designee, routinely requests a copy of an applicant's credit report (after the applicant signs an Authorization for Release of Information) from the Department's credit information supplier.

7.4. Military Records

7.4.1. Background investigators will initiate a request for the applicant's military records, to include both personnel and medical records, from each branch of service in which the applicant served.

7.4.2. Applicants who served in any branch of the military are required to produce a copy of any documents concerning their military service (i.e., military separation papers - DD-214, etc.).

7.5. School and College Records

7.5.1. Background investigators should request that applicants produce copies of their official school transcripts or other records that verify attendance, qualifications, education level, public safety records, etc.

7.5.1.1. Even though an applicant has properly executed an Authorization for the Release of Information, some schools may refuse to allow the investigator access to records held by the school.

7.5.2. Investigators will inquire of school official(s) regarding the applicant.

7.6. Interviews with References

7.6.1. At least three (3) personal references and three (3) character references provided by the applicant are interviewed by the investigator by phone, in-person, or by questionnaire.

7.6.2. Unless impractical, interviews are conducted in-person and documented on designated Department forms.

7.7. Interviews with Neighbors

- 7.7.1. Background investigators attempt to identify, locate, and interview in-person, as many of the applicant's neighbors as possible (past ten (10) years for sworn and most recent neighbors for non-sworn).
- 7.7.2. If impractical to interview past and current neighbor's in-person, an investigator may mail a Department-approved questionnaire to the neighbor(s) in order to document this phase of the background investigation.

7.8. Interviews with Past and Current Co-Workers and Supervisors

- 7.8.1. Background investigators will attempt to identify, locate, and interview as many of the applicant's co-workers and supervisors as possible for the past ten (10) years.
- 7.8.2. If impractical to interview past and current co-workers and supervisor's in-person, an investigator may mail a Department-approved questionnaire to them in order to document this phase of the background investigation.

7.9. Criminal Records Check

- 7.9.1. Applicants are checked (criminal record and wanted) through NCIC to determine the presence of applicable criminal history record information (CHRI).
 - 7.9.1.1. Applicants are checked through various additional law enforcement databases.
 - 7.9.1.2. Due to the possibility that some local records may not make it into searchable databases, questionnaires should be sent to anyplace an applicant resided, worked, or attended school.
- 7.9.2. The applicant's fingerprint cards are submitted as follows:
 - 7.9.2.1. The investigator completes and submits the FBI and State fingerprint records.
 - 7.9.2.2. The investigator also submits a fingerprint record to RAFIS.

7.10. Verification of Credentials

An applicant's qualifying credentials are verified by investigators through checking both public and private records, which may include, but not be limited to:

- 7.10.1. Medical reports;
- 7.10.2. Court records;

- 7.10.3. Financial statements and reports; and
- 7.10.4. Employment records and performance evaluations.

7.11. Prior Law Enforcement Employment

- 7.11.1. If an applicant has been employed by other law enforcement agencies, investigators must determine if the applicant separated (or will separate) from each of those law enforcement agencies in good standing;
- 7.11.2. Background investigators must consider the various types of records requiring review, such as internal affairs and disciplinary records, supervisory files, performance evaluations, training records, commendations/awards, etc.;
- 7.11.3. Applicants must disclose, under penalty of perjury, all prior instances of employment as a law enforcement officer with other law enforcement agencies;
- 7.11.4. Applicants must provide written authorization for the Department to obtain full personnel and disciplinary records from any law enforcement agencies where the applicant was previously employed as a law enforcement officer;
- 7.11.5. The Department shall certify to the MPCTC that the applicant's disciplinary record, from any prior law enforcement employment, has been reviewed as part of the investigation.

7.12. Driving Record

An applicant's driving record (from any and all states in which the applicant is currently or was licensed) is closely examined and a copy or copies are included with the investigator's file.

7.13. Financial Records

Whenever possible, an applicant's financial status is examined and documented in the investigator's file.

8. INVESTIGATION SYNOPSIS FORMAT

Upon completion of the investigation, the following format is used to synopsize the investigator's findings, before being forwarded to the Chief's office:

8.1. Synopsis

A brief summary of the overall investigation;

8.2. Personal History

Lists the applicant's date-of-birth, place-of-birth, names of parent(s), applicant's current address, marital status, all in narrative form;

8.3. Education

Lists all schools attended by the applicant, with dates attended, degree(s) obtained, and grade-point-average;

8.4. Military Experience (if applicable)

Indicates the extent of the applicant's military service, including any reserve obligations;

8.5. Traffic Record

Describes the class of license(s) held by the applicant, whether valid or not, number of traffic citations received (if any), dispositions, etc.;

8.6. Criminal/Civil Record

Any CHRI, including the results of “wanted checks”;

8.7. Undetected Crimes and Events of Note

Includes any information about events that may be criminal in nature or of other concern, disclosed by the applicant and/or discovered during interviews of references, etc.;

8.8. Credit Rating

Describes the applicant's overall credit rating from the credit report obtained by this Department or by the applicant;

8.9. Employment

Describes all employment of the applicant, including statements made by co-workers and employers, and dates of employment;

8.10. Neighborhood Checks and Personal/Character References

Indicates what neighbors and references have said about the applicant;

8.11. Other Agency Requests

Indicates to what other police agencies the applicant has applied, as well as the current applicant status for each agency;

8.12. Testing Results

Indicates where these results rank the applicant on the eligibility list;

8.13. Social Media (Public only)

Includes an open source public search of the applicant’s social media accounts, if applicable, for the purpose of uncovering inappropriate content; and

8.14. Investigator's Notes

Anything pertaining to the applicant as it relates to the investigation. This area is not to be used to recommend the applicant for employment.

9. PRE-PLACEMENT MEDICAL AND PSYCHOLOGICAL EXAMINATIONS

9.1. Administration of Examinations

9.1.1. The Department's physical requirements are in compliance with the Americans with Disabilities Act.

- 9.1.2. The pre-placement medical examination, and emotional stability and psychological fitness assessment, are conducted after a conditional offer of employment is made to an applicant by the Chief of Police for sworn positions.
 - 9.1.2.1. Under the Americans With Disabilities Act, no employer can conduct a medical examination or make inquiries of a job applicant concerning the nature or severity of a disability unless an offer of employment (which may be conditioned upon the successful completion of the medical or other selection processes) has been made and a similar examination is required of all new employees.
 - 9.1.2.2. The results of both examinations are to be maintained confidentially and securely.
- 9.1.3. The pre-placement medical examination certifies the general health of each sworn applicant, and establishes that the applicant is physically fit to perform the duties of a police officer.
 - 9.1.3.1. This examination is conducted by a licensed physician of the City's choosing and uses non-discriminatory procedures.
 - 9.1.3.2. All costs associated with the pre-placement medical examination are at the City's expense.
- 9.1.4. In compliance with MPCTC regulations, the pre-placement medical examination for police officer applicants includes a drug screening test for controlled dangerous substances.
- 9.1.5. The emotional stability and psychological fitness examination is conducted and assessed by a qualified professional of the City's choosing and is conducted at no cost to the applicant.
 - 9.1.5.1. MPCTC regulations require this examination to aid the physician in determining that the applicant is emotionally and mentally fit for the duties of a police officer.
 - 9.1.5.2. The applicant shall additionally submit to any implicit bias testing deemed necessary by MPCTC regulations.

9.2. Secure Storage of Records

- 9.2.1. Records containing pre-placement medical examination and emotional stability and psychological fitness examination results are securely maintained.
- 9.2.2. Pre-placement medical examinations and emotional stability and

psychological fitness examination results will be retained for the period of employment with the agency, plus an additional five (5) years.

10. COMPUTER VOICE STRESS ANALYZER (CVSA)

The selection process for police officers includes a Computer Voice Stress Analyzer (CVSA) examination.

- 10.1. All applicants are provided with a list of the areas from which questions will be drawn.
- 10.2. When CVSA examinations are administered as part of the selection process, the Department utilizes only personnel who have been trained to conduct such examinations, and who have been trained to evaluate the examination's results.
 - 10.2.1. Examiner's follow all guidelines for use of the CVSA, including at least one cold call to verify the validation of test results.
 - 10.2.2. The Department does not use the results of the CVSA, or other instruments for the detection of deception, as the single determinant of employment status.