

The attached sample policy was developed by the Police Safety Consultants in our Loss Control Division to assist insured agencies with the hiring process of law enforcement personnel. Just as important as it is to have a fair and legally defensible selection process, agencies must additionally have selection procedures that afford them the opportunity to employ the best qualified candidates.

We have observed during loss control visits that few agencies have a detailed written policy that completely addresses their application/hiring process. Having your selection process in written policy allows human resource departments and city attorneys the opportunity to review each procedure to ensure the entire selection process comports to “Best Practices”. There are potential pitfalls when a written criteria is not in place, including claims or lawsuits for unfair or discriminatory hiring practices as it relates to the procedures followed for all applicants. If **all** applicants are not administered the same battery of test/procedures, it is difficult if not impossible to defend the selection process in court. Use of a checklist that tracks each step of the entire selection process ensures each applicant is administered the same procedures. This sample policy includes attachments that provide checklists for non-certified police applicants, certified police applicants, and non-sworn support personnel.

As written, the attached sample policy includes both required and recommended procedures which should be completed before hiring law enforcement personnel. Many agencies do not include some critical selection procedures for both certified and non-certified applicants, such as polygraph or voice stress analysis exam, psychological evaluation, employment history, APOSTC database, and National Decertification Index (NDI) checks, among others - some of which are required by State law, APOSTC, or your insurer.

Polygraph or voice stress analysis exams and psychological evaluations may help determine an applicant’s suitability while preventing agencies from hiring “toxic employees”. Many agencies fail to conduct these examinations during the selection process due to cost, however they are only administered to applicants that have successfully completed all other procedures. The simple truth is that considering the current climate, agencies cannot afford not to do everything reasonably possible to avoid a bad hire. Polygraph or voice stress analysis and psychological evaluations are two of the best means for uncovering hidden criminal acts not discovered through NCIC as well as serious personality characteristics that are not favorable for law enforcement.

After a conditional offer of employment and pending a successful psychological evaluation, medical exam and drug screen, the applicant is employed. At that point, your only saving grace for a bad hire is a probationary period of sufficient length (ideally12 months) to properly evaluate the employee’s capabilities and suitability for the position. Keep in mind that a toxic employee can cause serious problems for your agency even during their probation period, and beyond if allowed to remain.

Prior to implementing a written policy, it is recommended it is reviewed by your human resource department and/or city attorney and revised as needed to fit your department. If you have any questions concerning the sample policy, please feel free to contact the AMIC/MWCF Loss Control Division at 334 262-2566.

*\*The National Decertification Index (NDI) serves as a national registry of certificate or license revocation actions concerning officer misconduct. You can access the NDI through the* ***International Association of Directors of Law Enforcement Standards and Training*** *at:* [*www.iadlest.org*](http://www.iadlest.org)*On the top left of the home page click on* ***Our Services*** *then scroll down and click on* ***NDI****. Following completion of the short application process APOSTC will be contacted to verify that you are an authorized agency. Once confirmed, you will be provided access to the system. There are approximately 40 states that report the certification status of law enforcement officers to this site.*

**SAMPLE POLICE DEPARTMENT**

**Pre-Employment Process for Applicants**

*NOTE: In order to comply with local procedures as established through Civil Service, Personnel Board, or other employment regulating body, the sequence of actions listed may be adjusted, revised, or removed as needed unless required by law.*

NOTE: This document is for internal use only. It does not establish a legal duty or standard of care for civil liability or enlarge an employee’s civil or criminal liability in any way. A violation of this policy may only form the basis for internal discipline by this agency and then only in a non-judicial administrative setting.

**I. PURPOSE**

 The purpose of this policy is to ensure a fair and legally defensible selection process that allows only applicants of the highest quality to be considered for employment with the SAMPLE Police Department.

**II. POLICY**

1. All applicants (full- or part-time) will be administered the same pre-employment process as outlined herein.
	1. After receipt of an application, but prior to any background investigation beginning, applicants must submit a signed Waiver and Release of Information Authorization form to the department. (Attachment D)
	2. Depending upon the position applied for, the appropriate checklist (Attachment A, B, or C) will be completed and attached to all applications processed for possible employment.
	3. Completed checklists of employed applicants will be forwarded to the Human Resource Department/City Hall to be maintained with the employee’s personnel file. Checklists of applicants that are not selected for hire will be kept with the individual’s application for the time period established by the Human Resource Department.

**III. PROCEDURE**

1. Non-Certified Applicants for Police Officer Positions

 All non-certified applicants testing for the position of Police Officer will undergo the following process:

1. Apply to the Personnel Office.
2. Complete the Basic Ability Test (BAT) as prescribed by APOSTC.
3. Complete the Physical Agility Course as prescribed by APOSTC.
4. Complete the Physical Ability Course as prescribed by APOSTC.
5. Successfully complete approved written test with an overall score of 70% or higher.
6. Complete Department Questionnaire, including Waiver.
7. Provide required documents.
8. Formal interview board.
9. Thorough background investigation in accordance with CODE of Alabama §36-21-55.3 to include:
	1. fingerprint check
	2. criminal background, including dispositions.
	3. employment history, including military and any prior law enforcement
	4. residential address history
	5. social media accounts
	6. professional references
	7. credit history
10. APOSTC database: (Request for Information Form RFI-2).
11. National Decertification Index (NDI) check.
12. Driver History (MVR), including dispositions.
13. Complete a polygraph or voice stress analysis exam with satisfactory results.
14. After a Conditional Offer of Employment:
	1. Complete a psychological exam with satisfactory results.
	2. Complete a physical medical examination with satisfactory results.
	3. Complete a drug screen with satisfactory results.
15. Certified Applicants

All APOSTC certified or previously certified, out-of-state certified, or certified reserve officer testing for the position of Police Officer will undergo the following process:

1. Apply to the Personnel Office.
2. \* Complete the Basic Ability Test (BAT) as prescribed by APOSTC.
3. \*\*Successfully complete the Physical Agility Course as prescribed by APOSTC.
4. Successfully complete approved written test with an overall score of 70% or higher.
5. Complete Department Questionnaire, including Waiver.
6. Provide required documents.
7. Formal interview board.
8. Thorough background investigation in accordance with CODE of Alabama §36-21-55.3 to include:
	1. fingerprint check
	2. criminal background, including dispositions.
	3. employment history, including military and all prior law enforcement
	4. residential address history
	5. social media accounts
	6. professional references
	7. credit history
	8. APOSTC database: (Request for Information Form RFI-2) - obtain a complete list of all law enforcement agencies applicant worked for (Attachments E & F).
9. \*Other State’s POST.
10. National Decertification Index (NDI) check.
11. Driver History (MVR), including dispositions.
12. Qualify with a department approved handgun on the APOSTC course of fire.
13. Complete a polygraph or voice stress analysis exam with satisfactory results.
14. After a Conditional Offer of Employment:
	1. Complete a psychological exam with satisfactory results.
	2. Complete a physical medical examination with satisfactory results.
	3. Complete a drug screen with satisfactory results.

\*Lateral Academy applicants only

\*\*Refresher and Lateral Academy applicants

NOTE: Any previously certified officer that does not qualify for the Refresher Academy or any out-of-state certified officer that does not qualify for the Lateral Academy will be required to complete the APOSTC Physical Ability Test and attend the APOSTC Basic Academy.

C. Non-Sworn Positions

All non-sworn applicants will undergo the following process:

1. Apply to the Personnel Office.
2. Complete written test (communications and corrections officers).
3. Complete Department Questionnaire, including Waiver.
4. Provide required documents.
5. Formal interview board (communications and corrections officers).
6. Thorough background check to include:
	1. fingerprint check
	2. criminal background, including dispositions.
	3. employment history, including military (Attachment F to be completed on all applicants with Corrections experience)
	4. residential address history
	5. social media accounts
	6. professional references
	7. credit history
7. APOSTC database: (Request for Information Form RFI-2) (communications and corrections officers).
8. National Decertification Index (NDI) check (communications and corrections officers).
9. Driver History (MVR), including dispositions.
10. Complete a polygraph or voice stress analysis exam with satisfactory results (communications and corrections officers)
11. After a Conditional Offer of Employment:
	1. Complete a psychological exam with satisfactory results (corrections officers).
	2. Complete a physical medical examination with satisfactory results.
	3. Complete a drug screen with satisfactory results.

D. Removal From Consideration

 An applicant will be removed from further consideration upon their voluntary withdrawal, or for failure to successfully complete the pre-employment process or any portion thereof. Documentation of the reason(s) for removal from further consideration will be completed and attached to the original application along with any supporting information.

^ As part of the employment background investigation, all applicants should be checked through the **National Decertification Index (NDI)** regardless of prior certification or experience. The National Decertification Index (NDI) serves as a national registry of certificate or license revocation actions concerning officer misconduct. Records contained in the NDI are provided by participating state government agencies and will be verified with the contributing authority. Entry in the database may not necessarily preclude any individual from appointment as an officer. Background Investigators will conduct the proper follow up on all information listed in the registry.

The NDI can be accessed through the **International Association of Directors of Law Enforcement Standards and Training** at: [www.iadlest.org](http://www.iadlest.org)  On the top left of the home page click on **Our Services** then scroll down and click on **NDI**. Following completion of the short application process APOSTC will be contacted to verify that you are an authorized agency. Once confirmed, you will then be provided access to the system. There are approximately 40 states that report the certification status of law enforcement officers to this site.

APPROVED: CHIEF OF POLICE DATE

I HAVE READ AND UNDERSTAND THIS ORDER

SIGNATURE OF OFFICER DATE

***DISCLAIMER***

***NOTE****: These documents are being provided to you by the AMIC/MWCF Loss Control Division and are not intended to be legal advice. They do not identify all the issues surrounding a particular topic. Laws and “Best Practices” change and policies must be continually reviewed and updated as needed. Public agencies are encouraged to review their procedures with an expert or an attorney who is knowledgeable about the topic. Reliance on this information is at the sole risk of the user.*

**Attachment (A) - Hiring Procedure Checklist**

**NON-CERTIFIED APPLYING FOR CERTIFIED POLICE OFFICER**

**Applicants Name: Date:**

**Position Applied For:**

Complete and attach to applications. Forward to the Human Resource Department/City Hall to be maintained in personnel file. Checklists on applicants not selected for hire will be kept with applications. The checklist will guard against both unfair and negligent hiring practices and enable the city to employ the most qualified personnel.

* Received application from the Personnel Office- Date
* Successfully completed APOSTC Basic Ability Test (BAT)- Yes\_\_ No\_\_
* Successfully completed APOSTC Physical Agility Course- Yes\_\_ No\_\_
* Successfully completed APOSTC Physical Ability Course- Yes\_\_ No\_\_
* Successfully completed the department approved written test- Yes\_\_ No\_\_
* Received completed Department Questionnaire, including Waiver- Yes\_\_ No\_\_
* Received required documents- Yes\_\_ No\_\_
* Formal Interview Board- Yes\_\_ No\_\_
* Fingerprints taken- Yes\_\_ No\_\_
* Criminal Background completed, including dispositions- Yes\_\_ No\_\_
* Employment History completed, including military and any prior law enforcement- Yes\_\_ No\_\_
* Residential Address History review- Yes\_\_ No\_\_
* Social Media Accounts review- Yes\_\_ No\_\_
* Professional References review- Yes\_\_ No\_\_
* Credit History review- Yes\_\_ No\_\_
* APOSTC Database check- Yes\_\_ No\_\_
* Checked through the National Decertification Index (NDI)- Yes\_\_ No\_\_
* Driver History completed, including dispositions- Yes\_\_ No\_\_
* Completed a polygraph or voice stress analysis exam with satisfactory results- Yes\_\_ No\_\_
* Following a conditional offer of employment:
	+ Completed a psychological exam with satisfactory results- Yes\_\_ No\_\_
	+ Completed a physical medical examination with satisfactory results- Yes\_\_ No\_\_
	+ Completed a drug screen with satisfactory results- Yes\_\_ No\_\_

Submitted By Received at HR By

Date Date **Attachment (B) - Hiring Procedure Checklist**

**CERTIFIED, PREVIOUSLY CERTIFIED, OUT-OF-STATE CERTIFIED OFFICER, OR CERTIFIED RESERVE OFFICERS APPLYING FOR POLICE OFFICER**

**Applicants Name: Date:**

**Position Applied For:**

Complete and attach to applications. Forward to the Human Resource Department/City Hall to be maintained in personnel file. Checklists on applicants not selected for hire will be kept with applications. The checklist will guard against both unfair and negligent hiring practices and enable the city to employ the most qualified personnel.

* Received application from the Personnel Office – Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Successfully completed APOSTC Basic Ability Test (BAT)- Yes\_\_ No\_\_ NA\_\_
* Successfully completed APOSTC Physical Agility Course- Yes\_\_ No\_\_ NA\_\_
* Successfully completed APOSTC Physical Ability Course- Yes\_\_ No\_\_ NA\_\_
* Successfully completed the department approved written test- Yes\_\_ No\_\_
* Received completed Department Questionnaire, including Waiver- Yes\_\_ No\_\_
* Received required documents- Yes\_\_ No\_\_
* Formal Interview Board- Yes\_\_ No\_\_
* Fingerprints taken- Yes\_\_ No\_\_
* Criminal Background completed, including dispositions- Yes\_\_ No\_\_
* Employment History completed, including military and all prior law enforcement-
	+ APOSTC Law Enforcement Past Employment Verification Form completed Yes\_\_ No\_\_
	+ Past Employment Background Investigation Contact Form(s) completed Yes\_\_ No\_\_
* Residential Address History check- Yes\_\_ No\_\_
* Social Media Accounts review- Yes\_\_ No\_\_
* Professional References review- Yes\_\_ No\_\_
* Credit History review- Yes\_\_ No\_\_
* APOSTC Database check- Yes\_\_ No\_\_
* \*Other State’s POST database- Yes\_\_ No\_\_ NA\_\_
* Checked through the National Decertification Index (NDI)- Yes\_\_ No\_\_
* Driver History completed, including dispositions- Yes\_\_ No\_\_
* Qualify with a department approved handgun on the APOSTC course of fire- Yes\_\_ No\_\_
* Completed a polygraph or voice stress analysis exam with satisfactory results- Yes\_\_ No\_\_
* Following a conditional offer of employment:
	+ Completed a psychological exam with satisfactory results- Yes\_\_ No\_\_
	+ Completed physical medical examination with satisfactory results- Yes\_\_ No\_\_
	+ Completed a drug screen with satisfactory results- Yes\_\_ No\_\_

Submitted By Received at HR By

Date Date \_\_\_\_\_=

**Attachment (C) - Hiring Procedure Checklist**

**NON-SWORN PERSONNEL APPLICANT**

**Applicants Name: Date:**

**Position Applied For:**

Complete and attach to applications. Forward to the Human Resource Department/City Hall to be maintained in personnel file. Checklists on applicants not selected for hire will be kept with applications. The checklist will guard against both unfair and negligent hiring practices and enable the city to employ the most qualified personnel.

* Received application from the Personnel Office – Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Successfully completed the department approved written test- (communications and

corrections)- Yes\_\_ No\_\_

* Received completed Department Questionnaire, including Waiver- Yes\_\_ No\_\_
* Received required documents- Yes\_\_ No\_\_
* Formal Interview Board (communications and corrections)- Yes\_\_ No\_\_
* Fingerprints taken- Yes\_\_ No\_\_
* Criminal Background completed, including dispositions- Yes\_\_ No\_\_
* Employment History completed, including military and prior Corrections experience Yes\_\_ No\_\_
	+ Corrections Officer Past Employment Background Investigation Contact Form(s) completed if applicable Yes\_\_ No\_\_
* Residential Address History check- Yes\_\_ No\_\_
* Social Media Accounts review- Yes\_\_ No\_\_
* Professional References review- Yes\_\_ No\_\_
* Credit History review- Yes\_\_ No\_\_
* APOSTC Database check (communications and corrections officers)- Yes\_\_ No\_\_
* Checked through the National Decertification Index (NDI) (communications and corrections officers)- Yes\_\_ No\_\_
* Driver History completed, including dispositions- Yes\_\_ No\_\_
* Completed a polygraph or voice stress analysis exam with satisfactory results (communications and corrections officers)- Yes\_\_ No\_\_
* Following a conditional offer of employment:
	+ Completed a psychological exam with satisfactory results (corrections officers)- Yes\_\_ No\_\_
	+ Completed a physical medical examination with satisfactory results- Yes\_\_ No\_\_
	+ Completed a drug screen with satisfactory results- Yes\_\_ No\_\_

Submitted By Received at HR By

Date Date

***Attachment (D) - Authorization for Release of Personal Information***

***to Law Enforcement Agencies for Certification/Employment Purposes***

To Whom It May Concern:

I am an applicant for a law enforcement position with the SAMPLE Police Department. To determine my suitability for employment, I understand that the SAMPLE Police Department in the Town/City of SAMPLE, Alabama must make a thorough investigation of my personal records and personal background. It is in the public’s interest that all relevant information concerning my personal and employment history be disclosed to the above agency.

Therefore, I, with DOB , and Driver’s License # do hereby request and authorize the release of any and all records, documents, and/or information whether of a privileged or confidential nature regarding former and present employment, criminal history, driver history, personal background, education, financial or credit history, medical records related to the performance of the essential functions of the position including physical or mental health records or psychological evaluations, military records, from any government or individual agency, or any other references to the authorized agent of the SAMPLE Police Department and the Town/City of SAMPLE, Alabama in order to evaluate my qualifications for this position.

Moreover, I hereby release the SAMPLE Police Department and the Town/City of SAMPLE, Alabama from any civil or criminal liability whatsoever for seeking such requested information and for evaluating such information as it relates to my employment with the Town/City of SAMPLE. And I hereby release the issuing agency and its agents and employees, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result because of compliance with this authorization and request.

I further waive all rights to inspect or review any information compiled in reference to my application for employment as allowed by law. I do further authorize the SAMPLE Police Department agents and employees, to release copies of any and all information to any agency or entity regulating the employment, certification, authority or conduct of law enforcement officers, including, but not limited to: Alabama Peace Officers’ Standards and Training Commission, agencies of other states and the federal government, and the applicant’s/officer’s employing agency.

I hereby acknowledge that this authorization is valid for one (1) year or until the employment application or investigation process has been completed, whichever is later. A copy of this document is considered valid, just as the original. I have read and fully understand the above statements.

Subscribed and sworn to before me,

 Applicant Signature

Printed Name

 Printed Name

Notary Signature

This the day of , 20

 Address

 SEAL Phone

My Commission Expires:

**Code of Alabama Section 36-21-55.2 & 36-21-55.3 Background checks required for employment or appointment of law enforcement officers**

***NOTE: If necessary, provide this with the Release Form***

**Code of Alabama Section 36-21-55.2** - Disclosure of information**(a)** Any law enforcement agency that is a potential employer of a law enforcement officer shall request, through the database from the commission, either in writing or electronically, disclosure of the information maintained by the commission as required in subdivisions (b)(1) and (b)(2) of Section 36-21-55.1.**(b)** In the event that the database does not include information with respect to the law enforcement officer, any law enforcement agency that previously employed or appointed the law enforcement officer, upon receiving a written request from an employing law enforcement agency in this state, shall disclose a full and fair description of the former law enforcement officer's employment history with that agency to include the information in subdivisions (b)(1) and (b)(2) of Section 36-21-55.1, if available.**(c)** Information disclosed pursuant to subsection (b) shall only be used for employment or appointment decisions, and the law enforcement agency receiving the disclosures shall maintain the confidentiality of the employment or appointment information.**(d)** An individual acting on behalf of a law enforcement agency shall be immune from civil liability for disclosing information required by this section if that disclosure was made in good faith and in response to a proper written request made pursuant to this division.

*Ala. Code § 36-21-55.2 (1975)* Added by Act 2021-268,§ 3, eff. 7/1/2021.

**Code of Alabama Section 36-21-55.3** - Background checks required for employment or appointment of law enforcement officers**(a)** Prior to the employment or appointment of a law enforcement officer, a law enforcement agency shall do all of the following:**(1)** Conduct a fingerprint-based state and national criminal background check that shall be completed by the Alabama State Law Enforcement Agency (ALEA) for purposes of determining suitability for employment or appointment.**(2)** Review the current and prior law enforcement officer employment history confirmed through access of the information in the database as required by subsection (e) of Section 36-21-55.1.**(3)** Review current and previous residential addresses of the law enforcement officer.**(4)** Review reportable offenses, if any, against the law enforcement officer while appointed or employed with any other law enforcement agency confirmed through access of the information in the database as required by subdivision (a)(1) of Section 36-21-55.1.**(5)** Review available social media accounts of the law enforcement officer.**(6)** Review professional references provided by the law enforcement officer.**(7)** Review disciplinary action as defined in Section 36-21-55 taken against the law enforcement officer while in secondary and postsecondary school confirmed by telephone or electronic or other means.**(8)** Review a full report of the law enforcement officer's credit history provided by the law enforcement officer.**(b)** A law enforcement officer shall sign a written release authorizing a law enforcement agency to obtain the pre-employment check information listed in subsection (a).**(c)** A law enforcement agency shall complete an investigation validating any additional information provided by the law enforcement officer.**(d)(1)** Results of the criminal background check received by the hiring or appointing law enforcement agency shall be confidential and may not be deemed a public record, disclosed to any individual beyond those with authorized access, or disclosed under the Alabama Open Records Act.**(2)** The employing or appointing law enforcement agencies shall comply with rules of Alabama State Law Enforcement Agency and the Federal Bureau of Investigation regarding the use of criminal records. Any person who releases or discloses records in violation of these rules or subdivision (1), upon conviction, shall be guilty of a Class A misdemeanor.

*Ala. Code § 36-21-55.3 (1975)* Added by Act 2021-268,§ 3, eff. 7/1/2021.

**Attachment (E) - APOSTC Law Enforcement Past Employment Verification Form**

Applicants Name: DOB:

APOSTC Contact Date:

Contacted By:

***Complete list of Alabama law enforcement agencies employed by:***

Agency Hire Date Separation Date

Reason for Separation

Agency Hire Date Separation Date

Reason for Separation

Agency Hire Date Separation Date

Reason for Separation

Agency Hire Date Separation Date

Reason for Separation

Agency Hire Date Separation Date

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Reason for Separation

Agency Hire Date Separation Date

Reason for Separation

**Attachment (F) - Law Enforcement/****Corrections Officer Past Employment Background Investigation Contact Form**

***To be completed for all past law enforcement/jail employment for both police and corrections officers***

Applicant Name DOB

Form Completed By

Agency of Past Employment

Person providing information Date

Information obtained: In person By phone By email By fax

Information Requested:

Date of Hire Date of Separation

Reason for Separation

Was applicant:

Allowed to resign during or following an internal investigation or other administrative matter? Yes \_\_\_ No \_\_\_

Reason

Did applicant ever receive:

Any Written Reprimands Yes\_\_\_ No \_\_\_ Reason(s)

Any Disciplinary Suspensions Yes\_\_\_ No \_\_\_ Reason(s)

Any Demotions Yes\_\_\_ No \_\_\_ Reason(s)

**Attachment (F) - Law Enforcement/Corrections Officer Past Employment Background Investigation Contact Form {CONTINUED}**

Any Remedial Training Yes\_\_\_ No \_\_\_ Reason(s)

Any Other types of Disciplinary Action Yes\_\_\_ No \_\_\_ Reason(s)

Any Complaints of Excessive Use of Force Yes\_\_\_ No \_\_\_ Result of Investigation

Any Complaints of Criminal Activity Yes\_\_\_ No \_\_\_ Remarks

Any Complaints of Sexual/Custodial Sexual Misconduct Yes\_\_\_ No\_\_\_ Remarks

Other Information: