
Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the San Leandro Police Department and that are promulgated and maintained by the Human Resources Division.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the San Leandro Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. 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 and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Professional Standards and Training Unit should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) 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.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Professional Standards and Training Unit 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 his/her status in the recruiting process.

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1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates who 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) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) 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.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Lie detector test (when legally permissible) (Labor Code § 432.2)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her 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 San Leandro 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).

1000.5.1 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 (15 USC § 1681d; Civil Code § 1786.16).

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1000.5.2 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).

1000.5.3 REVIEW OF SOCIAL MEDIA SITES

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

The Professional Standards and Training Unit 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:

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

Regardless of whether a third party is used, the Professional Standards and Training Unit should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.4 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).

1000.5.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained for a minimum of two years and in accordance with the established records retention schedule (Government Code § 12946; 11 CCR 1953).

1000.5.6 BACKGROUND INVESTIGATION UPDATE

A background investigation update may, at the discretion of the Chief of Police, be conducted in lieu of a complete new background investigation on a peace officer candidate who is reappointed within 180 days of voluntary separation from the San Leandro Police Department, or who is an interim police chief meeting the requirements contained in 11 CCR 1953(f).

1000.5.7 REQUIRED CONFIDENTIALITY WAIVER

This department will require all current or former peace officers from other agencies to sign the Waiver Granting Disclosure of Confidential Peace Officer Records form.

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To ensure the background investigator has access to all peace officer records, candidates who are current or former peace officers must waive their confidentiality right to any records in possession of their current or former law enforcement agency. Candidates must sign the Waiver Granting Disclosure of Confidential Peace Officer Records form which grants access to all records, including incomplete investigations and files that have been sealed as a result of an agreement.

Additionally, the waiver grants the San Leandro Police Department authorization to provide criminal background information or information regarding any convictions for crimes of moral turpitude found or uncovered during its background investigation to a candidate's current law enforcement agency.

A candidate who refuses to sign the waiver will be disqualified from the hiring process.

See attachment: [WAIVER GRANTING DISCLOSURE OF CONFIDENTIAL PEACE OFFICER PERSONNEL RECORDS.pdf](#)

1000.6 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.

1000.7 EMPLOYMENT STANDARDS

All candidates 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.

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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. The Human Resources Division should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

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

- (a) Free of any felony convictions
- (b) Citizen of the United States, or permanent resident alien eligible for and has applied for citizenship
- (c) At least 18 years of age
- (d) Fingerprinted for local, state, and national fingerprint check
- (e) Good moral character as determined by a thorough background investigation (11 CCR 1953)
- (f) 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
- (g) Free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)
- (h) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):
 - 1. Reading and writing ability assessment (11 CCR 1951)
 - 2. 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)).

1000.7.2 STANDARDS FOR DISPATCHER

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

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

Attachments

**WAIVER GRANTING DISCLOSURE OF CONFIDENTIAL
PEACE OFFICER PERSONNEL RECORDS.pdf**

**WAIVER GRANTING DISCLOSURE OF CONFIDENTIAL
PEACE OFFICER PERSONNEL RECORDS**

I, _____, am an applicant for the position of _____ with the SAN LEANDRO POLICE DEPARTMENT. I understand that the SAN LEANDRO POLICE DEPARTMENT, my prospective employer, its agents and/or assigns, cannot make a determination regarding my fitness for this position without a full and unrestricted disclosure of any and all information relative to my performance as a peace officer, including personnel records or other information in your possession which may be deemed confidential pursuant to Government Code §6254(c) or Penal Code §832.5 and subject to withholding or redaction under Penal Code §832.7, or which may be protected from disclosure under Evidence Code §1043 and §1045, including, but not limited to: records of application, appraisal, counseling, attendance, payroll, complaints, completed and current but uncompleted investigations that may lead to discipline or findings of misconduct, any discipline, criminal history, commendation, promotion, training and education, experience, professional certification, character reference, or personal data, and records or information which may, as a result of an agreement between the undersigned and the Department Head, have been sealed.

I hereby acknowledge that a legal privilege exists concerning these records, that I am waiving that privilege for this specific purpose, and I hereby acknowledge that the Department and its Custodian of Records has been or will be served with my authorization, knowing and voluntary request for disclosure of my confidential peace officer personnel records within any period prior to the expiration date noted below. I have been offered a copy of this waiver and shall not require any additional notification thereof. This waiver is specifically granted to determine my eligibility and qualifications for employment with the SAN LEANDRO POLICE DEPARTMENT. I understand, acknowledge, and agree that the SAN LEANDRO POLICE DEPARTMENT may provide you criminal background information or information regarding any convictions for crimes of moral turpitude found or uncovered during its background investigation.

Therefore, I direct you to release the information described above to the bearer of this form, and I knowingly and voluntarily exonerate, release and discharge you, the SAN LEANDRO POLICE DEPARTMENT, and the City of San Leandro, and its elected and appointed officials, employees, officers, agents and assigns from any liability, claim or damages, now or in the future, whether in law or in equity, on behalf of myself, my agents heirs or assigns, for granting disclosure of my confidential peace officer personnel records at my own request for employment purposes.

I agree that this form will be valid for one (1) year from the date of execution pursuant to California Civil Code Section 1798.24(b).

Signature of Applicant

Date

Printed Name of Applicant

State of California)
County of Alameda)

On _____ before me, _____, Notary Public, personally appeared

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)