



**West Pelzer Police Department
POLICY AND PROCEDURE**

Subject:
HIRING AND TERMINATION

Policy Number:
106

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By the Authority of:

Zachary Owen, Chief of Police

I. PURPOSE

The purpose of this directive is to describe the selection process for all law enforcement officers and specify circumstances in which an officer may be relieved from duty.

II. POLICY

It is the policy of this agency to treat all applicants uniformly and establish and maintain a selection system for hiring law enforcement officers. Further, the agency head will have the overall responsibility and authority to oversee the hiring process and, if necessary, the termination of a law enforcement officer of this agency if circumstances are determined to be in the best interest of the officer and/or the department.

III. PROCEDURES

A. Selection Process

The selection process for new officers is a combined effort of the Human

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Resources department and this agency. The police department submits selection criteria for consideration to the Human Resource Office. The public posting, maintenance, and acceptance of applications is the responsibility of the Human Resource Office. Applications are then forwarded to the Chief of Police for screening. The responsibility for the final selection of applicants to fill vacancies rests with the agency head.

B. Requirements of the Selection Process

1. All elements of the selection process for sworn members are designed to use only those rating criteria or minimum qualifications that are job related. Applications should be job specific.
2. All elements of the selection process for all personnel will be administered, scored, evaluated, and interpreted in a uniform manner within the job classification.
3. Officers not selected for positions shall be informed of such in writing.
4. Materials used in the selection process shall be stored in a secure manner and disposed in a manner that prevents disclosure of the information within.
- 5.

C. Eligibility Requirements/SC Criminal Justice Academy Requirements

1. Law Enforcement Officers are required to be citizens of the United States. Minimum age requirements for Class One sworn positions is 21 years of age and is set by the Law Enforcement Training Council under the authority of South Carolina State Statute §23-23-40.
2. Candidates must have a minimum of a high school diploma or equivalent.
3. Evidence must be provided to the SC Criminal Justice Academy director that the officer candidate is a person of good character. This evidence includes, but is not limited to:
 - a. Certification by the candidate's employer that a background

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- investigation has been conducted and the employer is of the opinion that the candidate is of good character;
- b. Evidence satisfactory to the director that the candidate holds a valid current state driver's license with no record during the previous five years for suspension of driver's license as a result of driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. Candidates for certification as state or local correctional officers may hold a valid current driver's license issued by any jurisdiction of the United States;
 - c. Evidence satisfactory to the director that a local credit check has been made with favorable results;
 - d. Evidence satisfactory to the director that the candidate's fingerprint record as received from the Federal Bureau of Investigation and South Carolina Law Enforcement Division indicates no record of felony convictions; and evidence satisfactory to the director that the applicant has not been convicted of any criminal offense that carries a sentence of one year or more or of any criminal offense that involves moral turpitude. Forfeiture of bond, a guilty plea, or a plea of nolo contendere is considered the equivalent of a conviction; and
 - e. Evidence satisfactory to the director that the candidate has signed an attestation form committing to the practice of ethical policing, which means the discharge of responsibilities, stemming from employment as a law enforcement officer, which is devoid of misconduct and which is carried out in conformance with this chapter, including the duty to safeguard life and the duty to intervene.
- 4. In addition to the requirements listed above, previously uncertified officers must also complete a reading comprehension test and psychological evaluation.

D. Background Investigations

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1. A background investigation of each candidate will be conducted prior to employment and probationary status.
2. Personnel used to conduct background investigations shall be trained in collecting required information.
3. All such investigations for sworn positions will be in compliance with applicable South Carolina Criminal Justice Academy and the Law Enforcement Training Council requirements. During the background investigation, the hiring agency must call the Academy in addition to the candidate's prior hiring agency(ies). The hiring agency must speak with a command staff member of the prior agency(ies) to provide information on the candidate. Only command staff designated by the agency head may provide information.

E. Polygraph Examination (if used)

1. A polygraph examination of all sworn candidates, when performed, will be administered by an approved examiner who is licensed and trained in the use of polygraph procedures.
2. Candidates will be provided a list of areas from which polygraph questions will be drawn prior to such examination.
3. The results from a polygraph examination will not be used as a single determinant of employment eligibility.

F. Psychological Fitness Examination

All candidates for sworn positions, who receive a conditional offer of employment will undergo an emotional stability and psychological fitness examination conducted by a department-approved and qualified professional prior to final selection and appointment to probationary status.

G. Medical Examinations

All candidates who receive a conditional offer of employment will undergo a basic medical examination tailored to the specific job description for which they have applied to determine whether they can or cannot perform

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the essential duties of a particular job.

H. Employment

Each newly-hired sworn member that is not currently certified in the Class level designated for their position by the State of South Carolina Criminal Justice Academy is required to satisfactorily complete entry-level training that may include up to 12 weeks of Basic Law Enforcement provided by the South Carolina Criminal Justice Academy. Upon successful completion of academy training, the employee will be required to complete a field training program.

I. Relief from Duty

The agency head and authorized designee may immediately relieve any member from duty under circumstances including:

1. When there is just cause to believe that the officer is physically, psychologically, or emotionally unable to perform their duties; or is a witness to a traumatic incident.
2. When there is just cause to believe that the officer, while on-duty, is impaired from an unknown substance or consumes any substance that causes the member to be impaired.
3. When a member is arrested or the subject of a criminal investigation
4. When a member is the subject of an administrative investigation for any allegation that involves:
 - a. Officer misconduct as defined in South Carolina State Statute §23-23-150
 - b. Violation(s) of agency or city policy/procedure that are serious in nature or may cause loss of credibility/confidence in the member's ability to perform their duties
 - c. Pending the outcome of any investigation when it appears

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that the action is in the best interest of the department.

5. When a member's action (use of force, crash, etc.) in an official capacity, results in death or serious bodily injury to another person.

J. Relief from Duty Procedures

When an officer is relieved from duty:

1. All facts should be documented in a formal memorandum and be forwarded to the agency head.
2. If employee misconduct results in dismissal, the following information shall be provided to the employee:
 - a. a statement citing the reason for the dismissal;
 - b. effective date of the dismissal;
 - c. a statement of the status of fringe benefits and retirement benefits after dismissal; and
 - d. a statement as to the content of the employee's employment record relating to the dismissal.
3. All law enforcement agencies and other employers of law enforcement officers are required to notify the Academy when an officer leaves the employment of the agency/employer, regardless of the reason for the separation within 15 days of separation. This information should be submitted via a Personnel Change in Status (PCS) form to the SC Criminal Justice Academy. (South Carolina Code of Regulations 37-022)