



**New York State
Department of Civil Service**

Committed to Innovation, Quality and Excellence

Understanding the Appointment Process for Police Officers



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UNDERSTANDING THE APPOINTMENT PROCESS FOR POLICE OFFICERS

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I. Introduction

The appointment of qualified police officers, who will ensure the public safety in New York State, is one of the greatest responsibilities of both municipal civil service agencies and law enforcement agencies alike.

One of the most complex appointment processes for a municipal civil service agency to administer is the appointment of competitive class police officers. In addition to typically being one of the largest examination holdings an agency faces, it also involves numerous legal requirements for appointment. The municipal civil service agency is responsible to see that appointments are made in accordance with the State Constitution, Civil Service Law, Municipal Civil Service Rules and several other related laws.

This guide was developed to provide an overview of the process. It provides references pertaining to the legal requirements for making appointments to competitive class police officer positions and outlines the requirements, procedures and practices to be followed in making competitive class police officer appointments. It is intended to be a resource for municipal civil service agencies and the law enforcement agencies within their jurisdictions. Having open communication about the requirements will aid agencies in developing practical procedures and an appropriate sequence of events in the administration of the appointment process.

Both the municipal civil service agency and the law enforcement agency may have policies and procedures in place which differ from those described in this guide. These policies and procedures may be equally effective in allowing the civil service agency to efficiently process police officer appointments. This guide serves as a compendium of resources to allow others to benefit from best practices found in agencies throughout the State, and will assist agencies seeking to incorporate additional efficiencies into their current practices.

II. Appointment Needs

Police Chiefs and Sheriffs know the staffing needs of their respective Departments, and are familiar with the duties and responsibilities of the law enforcement positions under their span of control. As such, they must be the primary source of information for recruiting and appointing qualified police officers. Good lines of communication should exist between the civil service agency and law enforcement officials to establish and maintain effective recruitment and appointment procedures. The municipal civil service agency should have a clear understanding of current employment and future staffing needs for each law enforcement agency under its jurisdiction. For example, the timing and holding of the Basic Course for Police Officers can influence when law enforcement officials will be making future appointments. It is critical that law enforcement officials share this information with the municipal civil service agency to effectively anticipate appointment needs.

Municipal civil service agencies must take several steps in order to effectively anticipate the need for appointments and to have viable Police Officer/Deputy Sheriff eligible lists available. Steps civil service agencies must take include:

- identify with law enforcement officials the normal turnover rates, anticipated retirements and staffing needs in all police agencies;
- closely monitor the number of eligible candidates on eligible lists;
- review canvass results of eligible lists to identify difficult-to-fill positions;
- monitor the expiration dates of eligible lists, and order and schedule examinations so as to have viable eligible lists always available;
- maintain close communication with law enforcement officials to be informed of anticipated reductions or expansions in existing programs, or to be aware of the implementation of new programs;
- become aware of the dates for the start of the Basic Course for Police Officers in your area;

- discuss succession planning with law enforcement officials, including compiling agency demographics;
- constantly review method and effectiveness of recruitment efforts to insure diverse representation of candidates and adequate eligibles on lists.

III. Request for Examination Assistance

The New York State Department of Civil Service offers an examination for entry-level police officer positions to municipal civil service agencies to be held annually in December. In order to be included in the exam series, the municipal civil service agency must anticipate the need for and order the examination typically six months before the holding as indicated in the Examination Date and Deadline Schedule. The decision to hold the examination during a particular year depends on several factors including the number of candidates on the existing eligible list and the date when such list expires. Eligible lists have a duration from a minimum of one year to a maximum of four years. Therefore, an examination need not be held every year. However, every effort should be made to ensure the availability of sufficient eligibles so permanent appointments may be made as vacancies occur in these critical positions.

IV. Recruitment

Recruitment for police officers should include more than simply posting an examination announcement in the civil service office and sending it to a list of community agencies. It must involve the law enforcement agencies and should be broad and comprehensive so that all qualified and interested individuals can learn of the job opportunities. This is a joint effort which requires a planned and proactive, rather than a passive, approach to providing information and generating interest among potential applicants. Recruitment plays a central role in achieving equal employment opportunity and having a diverse candidate pool.

The “best practice goal” of recruitment programs for police officers includes strategies that maximize the size and diversity of the pool of available candidates. The practices employed to achieve this goal may include media advertising, public service announcements, community outreach, promotional literature, mailing lists and targeted advertising. Resourcefulness and foresight need to be exercised in planning or structuring the type of recruitment effort.

To take a proactive approach to recruitment, consider the following:

- Maximize the distribution of announcements, by sending them to other locations which may include: Town and Village Offices, New York State Employment Service, all contiguous counties' civil service agencies, post offices, local libraries, schools, colleges, community centers and other police agencies.
- Develop a web site to provide recruitment, and career and examination related information.
- Participate in job fairs or targeted recruitment visits to local schools and colleges, particularly those with criminal justices programs.
- Hold a Department "open house" with an informational session on the appointment process and law enforcement career.
- Develop volunteer internship program to expose youth and students to aspects of a law enforcement career.

V. Announcements

Examination announcements are a primary and legally required tool in recruitment for the appointment of competitive class police officers. Announcements should be designed to attract attention, be clearly written, and easily understood. They should contain all necessary information related to the position, the examination and the application process, so applicants are able to make informed decisions as to whether they are interested in the job. Announcements must include reference to all phases of the examination process. The announcement should also contain the legal requirements for residency, age and other qualifications contained in Civil Service Law, section 58. (See the attached Appendix A for a Sample Police Officer/ Deputy Sheriff Exam Announcement Guide.)

VI. Citizenship and Residency Requirements

As a Public Officer, police officers are subject to the Public Officers Law and must be a citizen of the United States and a resident of New York State. Additionally, the Public Officers Law provides the following residency requirements for Police Officers and Deputy Sheriffs.

- **Police Officers, Public Officers Law, section 3(2)**

Section 3 of the Public Officers Law describes the minimum qualifications necessary for holding public office, including residency within the political subdivision or municipal corporation in which the officer's functions are to be exercised. Public Officers Law, section 3(2) provides that such residence requirements shall not apply to the appointment of a person as a member of a police force if the person resides within certain geographical areas outside of the political subdivision or municipality.

Based on Public Officers Law, section 3(2), the recruitment of candidates for police officer examinations must be open, at a minimum, to residents of the county in which the vacancy exists and to residents of counties contiguous to that county.

- **Deputy Sheriffs, Public Officers Law, section 3(1)**

A deputy sheriff is a local public officer as defined in Public Officers Law, section 2. Public Officers Law, section 3(1) requires that the holder of a local public office must be a resident of the political subdivision in which he or she performs official functions. Therefore, since a local public officer must be a resident of the county in which he or she serves, a deputy sheriff generally must be a resident of that county.

The Public Officers Law was amended in 1998, however, as it relates to the residency of Deputy Sheriffs in Putnam County (see section 3.41, Public Officers Law). Because this amendment created a special law, it is our Counsel's opinion that any County may, consistent with State law, enact a local law establishing a residency requirement for deputy sheriffs that is no broader than the boundaries as set out in the exception, i.e., within the county or in an adjoining county within New York State.

Deputy Sheriffs are not subject to the same provisions of Public Officers Law as Police Officers, so recruiting on a contiguous county basis is discretionary. Deputy Sheriffs must, however, be residents of the County in which they are appointed unless, as mentioned above, a local law has been passed authorizing residency within the County or an adjoining County within New York State. Another option would be the passage of an amendment to Public Officers Law, section 3, specific to your jurisdiction.

Civil Service Law Section 23(4-a) and Local Rules

In addition to the Public Officers Law, Civil Service Law, section 23(4-a) permits the establishment of residence requirements by a municipal civil service agency for recruitment purposes. Municipal Civil Service Rules contain general residence requirements for participation in examinations for municipal positions under their jurisdiction. Municipal Civil Service Rules will vary from jurisdiction to jurisdiction and may require differing lengths of time as a resident to be eligible to participate in an examination. Consult the appropriate Municipal Civil Service Rules for the specific requirements.

Together, section 23 (4-a) of Civil Service Law and the Municipal Civil Service Rules allow appointing authorities to request that residents of a municipality where the position exists be given preference in certification for appointment. Since the use of this preference does not have to be decided by the appointing authority prior to the certification of the eligible list, it is recommended the examination announcement explain that such preference may be given.

VII. Age Requirements

Civil Service Law, section 58(1)(a) requires a police officer candidate to be:

“...not less than twenty years of age as of the date of appointment nor more than thirty-five years of age as of the date when the applicant takes the written examination, provided, however, that time spent on military duty or on terminal leave, not exceeding a total of six years, shall be subtracted from the age of any applicant who has passed his thirty-fifth birthday as provided in subdivision ten-a of section two hundred forty-three of the military law.”

The age requirement for law enforcement personnel in New York State is in conformance with the Federal Age Discrimination in Employment Act (ADEA). The ADEA was amended by the Congress on September 30, 1996, to provide an exemption for certain age limitations in state or local law for the hiring of Firefighters and law enforcement officers. That exemption allowed states to establish age requirements for positions such as police officer. New York State's maximum age for employing law enforcement officers was enacted by the New York State Legislature in April 1999. Section 58 of New York State Civil Service Law was amended to establish a maximum age limit of 35 years of age at time of examination for permanent appointment as a competitive class police officer.

While Civil Service Law, section 58 establishes a minimum age of 20 for appointment, section 54 of Civil Service Law provides: “minimum age requirements shall in no case prohibit an applicant who is within six months of the minimum age requirement from taking any competitive examination.” This should be kept in mind when announcing the examination.

There is no exception in section 58 to meeting the maximum age requirement. The only exception is contained in Military Law which allows candidates who are veterans of the armed forces to deduct up to a maximum of six years, as defined in section 243 (10-a) of the Military Law, from their age for purposes of meeting the age requirement.

VIII. Minimum Qualifications

Possession of the minimum qualifications is often considered the first hurdle of the selection process. Section 58 of Civil Service Law establishes the statutory requirements for appointment of competitive class police officers. Section 58 (1)(b) requires applicants to be a high school graduate or a holder of a high school equivalency diploma issued by an education department of any of the States of the United States or a holder of a comparable diploma issued by any commonwealth, territory or possession of the United States or by the Canal Zone, or a holder of a report from the United States armed forces certifying his successful completion of the tests of general educational development, high school level.

Municipal civil service agencies have the authority to establish qualifications above those required in section 58. As with all minimum qualifications, it is the municipal civil service agency’s responsibility to defend minimum qualifications that are raised beyond what is currently established in State statute.

There are several factors to be taken into consideration before amending the minimum qualifications, including:

- a. the local field of recruitment;
- b. the impact on other personnel transactions, such as, the ability to transfer or reinstate police candidates for neighboring jurisdictions;
- c. the potential impact on the outreach to a diverse field of applicants;

- d. whether a job analysis has been completed to substantiate bona fide occupational qualifications.

Questions to consider before changing the minimum qualification include:

1. How many candidates have been appointed having the desired qualifications?
2. How successful have these candidates been over others?
3. What knowledge, skills and abilities must candidates possess to successfully perform the duties of the job following the training provided?

Developing clear, unambiguous and inclusive minimum qualifications is one of the most important aspects of effective recruitment. The qualification requirements should be clearly stated so as to be understandable to candidates so they can determine whether they qualify for the position. Vague, incomplete, or ill-defined minimum qualification statements make the application review process difficult and will frustrate applicants. If an "equivalency" statement is used, it must be interpreted to mean an equivalent combination of training and experience that falls within the limits of the other specified alternatives provided.

It should be noted that completion of the Basic Course for Police Officers may not be established as the only minimum qualification requirement for appointment. Also, selective certification of candidates on an eligible list who have completed the basic course over other qualified candidates is not in conformance with Civil Service Law. The appointing authority may only use this criteria as a means in determining who to select from equally reachable candidates on an eligible list.

IX. Application Review

Application review is the first step in the selection of qualified candidates. Meeting the minimum qualifications constitutes the first test in the examination process, so it is important that the established minimum qualifications be clear and understandable to both applicants and the reviewer. The reviewer must apply the minimum qualifications consistently when reviewing candidates' applications.

The municipal civil service agency has the responsibility to perform application review and has exclusive authority to qualify or disqualify candidates.

X. Disqualification

The public, candidates, and appointing authorities will hold the civil service agency accountable and may challenge any decisions to disqualify or qualify applicants. Therefore, objective and well documented reasons for all decisions to qualify or disqualify applicants will minimize problems and facilitate response to challenges.

The legal framework for disqualification is provided in Civil Service Law, section 50, subdivision 4. Under the provisions of section 50(4), a municipal civil service agency may refuse to examine any applicant, or after examination, may refuse to certify a successful candidate as eligible for appointment. Section 50(4) provides for the disqualification of an applicant or eligible based on any of a number of factors including: lack of established requirements for the position; inability to perform the job duties due to a disability; history of criminal conviction; dismissal from employments due to poor performance; falsifying a material fact on the application; or practicing fraud in the examination or appointment. In addition, section 58 (1)(d) of Civil Service Law requires police officers to be of good moral character.

Preliminary Information Found on the Application

In most cases, applicants are disqualified because they do not meet some particular requirement for appointment, or for admission to the examination. This includes applicants who do not show that they possess the required education, experience, residency, age or other special requirement, such as a driver's license. Derogatory information on applications may require additional information be obtained from the applicant before a final decision on disqualification is made; this may include information obtained during the background investigation by the police agency, as discussed later in this guide.

Pursuant to section 50(4), no applicant shall be disqualified unless given a written statement of the reasons for the disqualification, and afforded an opportunity to make an explanation and to submit facts in opposition to such disqualification. Therefore, applicants need to be notified not only that they are being disqualified, but also be given the specific reasons for the disqualification so they may adequately respond.

Municipal Civil Service Rules

Municipal Civil Service Rules have the force and effect of law. Because Rules can vary between jurisdictions, the Municipal Civil Service Rules of the agency that has jurisdiction must be consulted for any specific provisions regarding disqualification. Most Municipal Civil Service Rules provide for the following:

- the municipal civil service agency may investigate matters necessary for the verification of qualifications;
- the disqualification of candidates who fail to cooperate with the municipal civil service agency for examination, or, after examination, for certification and appointment;
- disqualification based on a record of disrespect for the requirements and processes of law.

Each municipal civil service agency should develop a policy and procedure for the disqualification of applicants who provide derogatory information on their applications. Given the importance of the process and the finality that disqualification has for a job seeker, it is important that the policy and procedures be applied fairly and consistently. It is also recommended that the municipal civil service agency share their policy with chief law enforcement officials under their jurisdiction. The law enforcement officials should be aware of the threshold of factual information that must be considered in order to disqualify a candidate. If the derogatory information regarding a candidate does not warrant disqualification, the chief law enforcement official may still consider that information as a basis toward non-selection from equally reachable candidates on the certification.

XI. Written Test Administration

The written examination for Police Officer and Deputy Sheriff is often the largest and most visible examination a municipal civil service agency will administer. There are a number of issues for a municipal civil service agency to address in relation to the written test administration of this series. The attached Appendix B contains the written test administration resource.

XII. Examination Results and Eligible List Establishment

The results of the written examination are transmitted by the Department of Civil Service to the municipal civil service agency approximately 45 days following completion of the examination. The results are sent electronically and may be immediately used to establish the eligible list, provided two months from the close of the last file date for the examination has elapsed to allow wartime veterans sufficient time to apply for veterans' credits.

Veterans' Credits

Prior to establishing the eligible list, the municipal civil service agency must review candidates' applications to determine whether they have requested and are entitled to veterans' credits. The band score plus the veterans' credits constitute the candidate's list score. Veteran's credit may only be added to a candidate's passing score on the written examination.

Ranking

Municipal Civil Service Rules usually require that if two or more eligibles receive the same final grade, they shall be ranked in accordance with such uniform, impartial procedure as may be prescribed by the municipal civil service commission/personnel officer. This ranking procedure is necessary in order to provide civil service with a means to establish the rights of individuals who have the same score and are appointed from the same eligible list on the same day, in the event of a layoff at some point in the future.

Verification of Qualifications

The verification of a candidate's qualifications may be done either before an eligible list is established or at the time of appointment. Verification of qualifications may include such things as obtaining a copy of a college transcript or a valid driver's license from the candidate. If the civil service agency decides to verify qualifications/credentials prior to list establishment, this step should be factored into the time line and procedures necessary for preparing an eligible list. Alternatively, verification may be made at the time of appointment either by the civil service agency or the appointing authority. The civil service agency

should clarify whose responsibility it is to verify qualifications and what documentation will be necessary to disqualify a candidate based on the lack of verifiable qualifications.

List Establishment

After determining veterans' credits, breaking ties, and verifying qualifications, the municipal civil service agency should formally establish the eligible list. It is recommended that all entry-level law enforcement eligible lists be established for four years. Once established, the eligible list becomes a public record, and must be available for public inspection at the municipal civil service office.

XIII. Physical Fitness Standards

Section 58 (1)(c) requires a police officer candidate to satisfy the height, weight and physical fitness requirements prescribed by the Municipal Police Training Council, pursuant to the provisions of section 840 of the Executive Law.

The Municipal Police Training Council has adopted the Medical and Physical Fitness Standards and Procedures for Police Officer Candidates. The attached Appendix C contains these standards.

After establishing the eligible list, the municipal civil service agency should administer the qualifying physical fitness screening test prescribed by the Municipal Police Training Council. The physical fitness screening test, also referred to as "physical agility," must be announced as a required qualifying test and component of the examination process.

The physical fitness screening test provides candidates the opportunity to demonstrate their physical ability to perform the duties of the position at the time of appointment. The physical fitness standards are uniformly established; however, each municipal civil service agency designates the qualified trainer for administration of the physical fitness screening test in their jurisdiction. Therefore, it is possible for the administration to vary slightly between municipal civil service agencies. Consequently, it is recommended that the physical fitness screening test be administered only by your civil service agency's designated qualified trainer. In addition, since the purpose of the physical

fitness screening test is to measure a candidate's fitness to perform the duties of a police officer position, the test should be administered within one year of appointment. Limiting this test to one year in duration to qualify for appointment to the position ensures candidates are able to perform the physically demanding duties of the position.

Notice to Candidates

The municipal civil service agency should retain copies of letters sent to candidates notifying them to appear for the physical fitness screening test. Maintaining this documentation will provide support for any action that may be taken to restrict a candidate from certification should the candidate fail to appear for this component of the examination.

In the notice to candidates, the municipal civil service agency may require the candidate to assume legal responsibility for participating in the physical fitness screening test and release such agency from liability for injuries resulting from any physical or mental disorders. Prior to participating in the physical fitness screening test, the candidate should also be required to provide a written statement from his or her personal physician certifying that he or she is capable of participating in the physical fitness screening test. If such a written statement is required, it must be required of all candidates.

Administration

The municipal civil service agency is required to designate a qualified trainer to administer the physical fitness screening test. The individual must possess the necessary expertise to administer the physical fitness screening test. The municipal civil service agency should provide the qualified trainer with copies of the standards prior to the administration of the test so the qualified trainer is familiar with the standards. A Physical Fitness Screening Test form should be completed for each candidate participating in the physical fitness screening test and must be signed by the qualified trainer to document administration of the test. A sample Physical Fitness Screening Test Form is attached in Appendix D.

Staff from the municipal civil service agency should also participate in the administration of the physical fitness screening test to ensure credibility and public trust in the fairness and equity of the examination process.

The Medical and Physical Fitness Standards require the sit-up and push-up elements be administered first. The 1.5 mile run element is to be administered only to candidates who successfully complete the first two elements.

The Medical and Physical Fitness Standards require the physical fitness screening test be administered prior to the local police agency making a conditional offer of employment and conducting a post-offer medical examination.

The results of the physical fitness screening test are to be recorded on the eligible list to clearly indicate whether a candidate has successfully completed the physical fitness screening test and is therefore eligible for appointment.

Restriction

Candidates on the eligible list who have not completed the physical fitness screening test must be restricted from certification.

When there are more eligibles than anticipated vacancies, the municipal civil service agency may, in the interest of economy, determine to not immediately call all candidates passing the written examination for the physical fitness screening test. The civil service agency should call enough candidates to the physical fitness screening test, however, to ensure the appointing authority will have sufficient eligibles from which to make a selection.

All candidates must be advised in the examination announcement that the physical fitness screening test will be held on an "as needed" basis. The examination announcement should include the following statement: "Candidates passing the written portion of the examination will have their names placed on the eligible list but will be required to pass a qualifying physical-agility fitness test before they will be certified for permanent appointment. These tests will be given as the needs of the service require."

Any candidates not called to complete the physical fitness screening test are temporarily restricted from certification. As new vacancies occur, and the number of candidates that have completed the physical fitness screening test is depleted, the

remaining candidates on the list who are reachable for appointment should be scheduled to complete the physical fitness screening test.

The procedure of having only reachable candidates complete the physical fitness screening test does not diminish a candidate's opportunities for employment. In addition, this procedure may achieve a significant savings for the municipal civil service agency by reducing the cost of testing. A candidate's eligibility begins on the day the list is established, and is not affected by a delay in completion of the physical fitness screening test.

All restrictions should be denoted by a code next to a candidate's name on the eligible list. If the candidate does not pass the physical fitness screening test, either a specific code designation should be used to show the candidate has failed this portion of the examination and is not eligible for appointment, or the candidate's name should be removed from the list. Because the eligible list is public information, only codes should be used to identify failed candidates if their names are to remain on the list.

Physical Fitness Retest Policy

A municipal civil service agency may choose to adopt a policy regarding retesting candidates who fail their initial physical fitness screening test. Such a policy should be in writing and established in advance of the examination. Whether or not candidates are permitted a retest opportunity should be included on the examination announcement.

If the civil service agency has a retest policy and a candidate on the eligible list fails the physical fitness portion of the examination, the candidate's name is restricted from certification pending the retest.

The Municipal Police Training Council Physical Fitness Standards do not specifically prescribe or endorse a retest policy. Therefore, the adoption of such policy is the responsibility of the municipal civil service agency to administer and defend should such a policy be adopted.

XIV. Canvassing

Canvassing of candidates on the eligible list is conducted to ascertain the candidate's interest in and availability for the position(s) for which the list is established. Once an eligible list is established, the municipal civil service agency may choose to conduct an initial general canvass to determine which candidates are interested in appointment to existing vacancies or to potential future vacancies in the various law enforcement agencies under its jurisdiction. This is particularly useful when the police officer eligible list is used in several different police departments that may have different salary rates or involve both part-time and full-time positions. The canvass will identify the locations and salaries each candidate has an interest in, thereby allowing the municipal civil service agency to certify only the names of candidates who are interested in and available for appointment to those law enforcement agencies when a vacancy occurs.

If a general canvass is not conducted, a canvass should be conducted for specific locations as vacancies occur. The canvass may be conducted by the municipal civil service agency or it may be decentralized to the appointing officers. If the canvass is decentralized, the civil service agency must ensure that verifiable documentation is returned which clearly shows all declinations and can prove how candidates were reached for appointment.

Declinations

All declinations should be in writing. The civil service agency must require written declinations be forwarded to their office. It is the responsibility of the civil service agency to determine if the declinations are for a valid reason, and that all candidates were properly canvassed and afforded an opportunity to respond. In cases where all declinations are not in writing, the civil service agency should follow up to ascertain the reason for this lack of documentation, and verify a declination was made. In such cases, the civil service agency may have to re-canvass or directly contact candidates to verify their lack of interest or availability.

The acceptable reasons a candidate may decline appointment and remain active on the eligible list for future certifications are set forth in the individual municipal civil service

certification rule. Typically, the acceptable reasons include such factors as insufficient salary, geographical location, and temporary inability to accept appointment. The certification rule also includes timeframes in which a candidate must respond to a canvass letter and establishes the consequences of not responding in a timely manner.

The acceptance or declination of a temporary appointment does not affect a candidate's future eligibility for a permanent appointment. Likewise, acceptance or declination of a part-time appointment will not affect a candidate's eligibility for appointment to full-time positions.

All canvass and declination information should be recorded on the eligible list.

XV. Background Investigations

Background investigations are a standard practice for many police agencies across the State. The basic philosophy of many police agencies regarding background investigations is to get as much information on the candidate as is possible because it is very useful. The information gained in a background investigation provides the chief law enforcement official with a broad perspective of a candidate's character.

Background investigation information may be considered by the civil service agency as supplemental information to the application for employment; therefore, candidates could potentially be disqualified for making false statements or practicing any fraud or deception to secure appointment based on the results of the background investigation.

Municipal civil service agencies, in conjunction with their law enforcement agencies, may facilitate the process of background investigation by providing the appropriate application and release forms to candidates early in the canvassing process. Upon request, the civil service agency may forward copies of examination applications to the appropriate law enforcement agency to begin the background investigation. It is recommended that civil service agencies develop a procedure in concert with their chief law enforcement officials to facilitate all background investigations. In addition, the law enforcement agency should be informed of the type of supporting information needed by the civil service agency in the event a candidate is to be disqualified. The derogatory information that is provided to the municipal civil service agency from the law enforcement

agency must be sufficient to form the basis for disqualification under section 50(4) of Civil Service Law and/or Municipal Civil Service Rule on Disqualification, as discussed in the Disqualification section earlier in this guide.

XVI. Certification

When the appointing authority needs to fill a vacancy, a certification of eligible candidates should be requested from the municipal civil service agency. The certification will contain the names of the top three persons standing highest on the list and anyone tied with the third highest candidate. The use of band scoring may result in more than three candidates being eligible for appointment. If there is more than one vacancy, enough names should be certified to equal the number of vacancies plus two additional names.

Candidates cannot be certified for appointment unless they have passed all portions of the examination. When a vacancy occurs, everyone who is eligible for certification must be given and pass the physical fitness screening test prior to certification. Only those candidates passing all portions of the written and physical fitness screening test, should be certified for appointment.

In accordance with Civil Service Law, section 23(4-a) and Municipal Civil Service Rules, the appointing authority may request that residents of the civil division where the vacancy exists be certified first. Once an appointment is made from the residency certification, it must continue to be used until the resident list is exhausted. After the resident list is exhausted, the whole list must be used to make any additional appointments if positions are to be filled.

Certification Period

When the appointing authority receives the certification of eligibles, he or she will have a limited period of time to make appointments from the certification. Therefore, the timing of when the certification is issued is important. The certification should be issued when the appointing authority is close to making an appointment. The duration of the certification is controlled by the Municipal Civil Service Rules and is typically 30 or 60 days. Some Municipal Civil Service Rules allow the agency to extend the certification at the request of the appointing authority. No appointment may be made after the expiration of the

certification; a new certification must be issued. It should be noted that once an eligible list expires, any outstanding certifications automatically expire on the same date. No appointments may be made after the expiration of the eligible list

XVII. Interviewing

The interview is one of the most important tools in the selection process of police officers and deputy sheriffs. An interview provides a valuable opportunity to learn more about the candidate and for the candidate to become familiar with the law enforcement organization.

The law enforcement agency should use the interview process as an opportunity to screen for "desired qualifications" such as schooling, training or experience. However, the interview cannot be used to try to convince candidates to decline appointment; this is known as "negative interviewing." The municipal civil service agency may refuse to accept declinations from candidates if it finds the appointing authority deliberately interviewed candidates improperly, in an attempt to receive declinations.

The appointing authority is under no obligation to interview all candidates on a certification; however, consideration should be given to the need for a public perception of fairness. Once a candidate is selected, other candidates considered for appointment, but not selected should be informed in writing by the appointing authority of their non-selection.

XVIII. Appointment – Conditional Offer of Employment

Appointment must be made from one of the three candidates standing highest on the eligible list willing to accept appointment. This includes anyone whose score is equal to that of the third highest rated candidate. The police agency makes an offer of employment that is conditioned only upon the candidate passing the medical examination. The municipal civil service agency is notified of the conditional offer of employment by the appointing authority by returning the signed certification indicating the date of the candidate's appointment.

XIX. Medical Examinations

Candidates who receive a conditional offer of employment from the law enforcement agency then undergo a medical review conducted by a qualified physician or practitioner. The municipal civil service agency schedules the medical examination for all candidates who have been extended a conditional offer of employment. The qualified physician or practitioner designated by the municipal civil service agency conducts the medical exam and advises the civil service agency if the candidate meets the established medical standards. The candidate must be found physically able, with or without accommodation*, to perform the essential job functions of an entry-level police officer for the law enforcement agency seeking to employ the candidate. The municipal civil service agency shall notify the candidate and the employing law enforcement agency if a candidate either does or does not meet the established medical standards.

Any candidate who meets the medical standards shall be employed by the law enforcement agency in accordance with the conditional offer of employment. The candidate will have his or her name removed from the eligible list upon receiving a full-time permanent appointment.

When it is found that a candidate does not meet the medical standards, the municipal civil service agency must notify the appointing law enforcement agency as to the medical standards that the candidate did not meet. The appointing law enforcement agency must then determine the candidate as not qualified for appointment. The appointing law enforcement agency then notifies the candidate and the municipal civil service agency that the conditional offer of employment is withdrawn. The municipal civil service agency will then notify the candidate that, because he or she did not meet the established medical standards, his or her name is being restricted from future certification to that appointing law enforcement agency, but will remain on the general list.

* It is the responsibility of the candidate to determine if he/she believes they are covered by the ADA and to request the employing police agency to provide a reasonable accommodation. However, it is the affirmative responsibility of the employing police agency to assess the type(s) of reasonable accommodation which may be necessary to allow a candidate with a disability, as defined by the Americans With Disabilities Act, to perform the essential functions of an entry-level police officer. The candidate must be provided such accommodation, unless it would impose an undue hardship on the employing agency or a direct threat to the safety of himself/herself, or others.

The Municipal Police Training Council Medical Standards are attached in Appendix B and the Sample Medical Examination Report Form is attached in Appendix D.

XX. Psychological Examinations

There are two approaches to psychological evaluations that are in common use for evaluation of law enforcement personnel. One approach is to establish the psychological examination as one component of the civil service examination process. The second approach is for the appointing law enforcement agency to use the psychological examination as a screening tool in determining selection.

If a psychological examination is administered as a component of the civil service examination, it is the responsibility of the municipal civil service agency to defend the validity of the psychological standards in use. The municipal civil service agency is responsible for the establishment of the standards for the psychological evaluation. If failure of the psychological evaluation results in disqualification, the municipal civil service agency needs to demonstrate that the candidate is unfit to perform the duties of the position. If challenged, the agency would need to establish that the psychological test is a Bona Fide Occupational Qualification (BFOQ). Therefore, substantial job analysis must be completed by the civil service agency prior to deciding to use a psychological examination as part of their selection process.

A best practice among municipal civil service agencies that utilize the psychological examination as part of their examination process requires a qualified psychologist to provide a definitive determination whether, in his or her professional judgment, the candidate can, with or without accommodation, perform the essential functions of an entry-level police officer in the local law enforcement agency seeking to employ the candidate.

If the psychological examination is given as a component of the examination process, legal counsel should be consulted for advice regarding conformance with federal legal requirements, since the psychological examination may be given only after a conditional offer of employment.

If, however, a psychological examination is administered by the appointing authority as a screening device in determining the selection of candidates, the responsibility to

defend the use of the psychological evaluation rests with the appointing authority. Under this approach, the appointing authority uses the psychological examination as a screening tool to provide information for determining selection or non-selection from among otherwise reachable candidates. With this method, candidates would not typically be restricted or removed from an eligible list as a result of the psychological examination. In order to remove a candidate from an eligible list for not passing the psychological examination, the criteria for the disqualification of applicants established in section 50(4) of the Civil Service Law must still be met and applied.

XXI. Oath of Office

Police Officers and Deputy Sheriffs are public officers and are covered by the provisions of the Public Officers Law. Section 10 of the Public Officers Law requires every public officer shall take and file the oath of office required by law. Section 30 of the Public Officers Law provides that failure to file the official oath within thirty days of appointment shall result in vacancy of office. Therefore, every appointee to a Police Officer or Deputy Sheriff position must take and file an oath of office within 30 days of appointment.

XXII. Registration of Newly Appointed Police Officers

The employer must submit a Certification of Employment form (DCJS - 2214-a) in order to add a newly appointed officer to the Police Officer Registry. (See Appendix E for a copy of this form.) The municipal civil service agency must complete block three of the form before a candidate can be registered as a new police officer with the Division of Criminal Justice Services. (Please refer to CL-20-00). The municipal civil service agency must attest that the appointment is in conformance with the Civil Service Law and Municipal Civil Service Rules, and that the individual has been legally appointed and is on the municipality's payroll. If these requirements have not been met, the certification form may not be signed.

XXIII. Training Requirements

Pursuant to Section 840 of the Executive Law, the Municipal Police Training Council (MPTC) has established the requirements for minimum basic training that newly appointed police officers must complete before becoming eligible for permanent appointment. Currently, regulations require that an MPTC approved Basic Course must consist of at least

510 hours of instruction in specified subject areas (9 N.Y.C.R.R. section 6020.3). The Statewide average for a basic training school is approximately 700 to 800 hours.

Section 209-q of the General Municipal Law requires all persons seeking permanent appointment as a municipal police officer to complete an MPTC approved Basic Course for Police Officers as a condition for permanent appointment. Basic police training must be completed within one year from the date of original appointment. Appointments are not considered permanent unless and until the prescribed training has been met. The law enforcement agency must notify the municipal civil service agency and provide documentation that such training has been completed.

Field Officer Training

Included in the mandated Basic Course for Police Officers is a required 40-hour minimum supervised field training review and orientation component. During this part of the training, the police officer works in the employing jurisdiction with a senior officer, who evaluates the trainee and reports to the academy. The reports filed by the employing law enforcement agency are included within the candidate's overall training evaluation by the academy towards completion of the basic course. In addition, upon the completion of the Basic Course for Police Officers, most police agencies require their own in-service Field Training Officer Program, where the newly appointed police officer is assigned to work under supervision by the employing police agency. The law enforcement agency and municipal civil service agency should make the field training officer aware of the Municipal Civil Service Probationary Rule requirements.

XXIV. Probationary Term

The probationary term is the final step in the selection process and should be used wisely by the law enforcement agency. Proper use of the probationary term requires the active participation of the employee's supervisor in evaluating his or her progress.

The Civil Service Law and Municipal Civil Service Rules require that every original appointment to a position in the competitive class is subject to the successful completion of a term of probation.

Duration

The duration of the probationary term for Police Officers and Deputy Sheriffs is specified in the local civil service rules. For most municipal civil service agencies, the probationary term adopted for Police Officer and Deputy Sheriff is a minimum of eight weeks and a maximum of fifty-two weeks. As a result of the training requirements, there is only a limited time period to assess the performance of the probationer while working alone. Because of this fact, a municipal civil service agency may seek to amend its local civil service rules to require a maximum probation term of 78 weeks for Police Officers and Deputy Sheriffs. Municipal civil service agencies which do not have a 78-week maximum term should discuss the need for this rule amendment with local law enforcement agencies under their jurisdiction prior to submitting a rules resolution to the New York State Civil Service Commission for consideration.

Evaluation

Most local civil service rules require the employee's supervisor to observe his or her conduct and performance and, from time to time, advise the probationary employee of his or her status and progress. Prior to the end of the probationary term, the supervisor must report on the probationer's progress in writing to the appointing authority.

During the minimum term of probation (typically the first eight weeks), the employee may be removed from the position only after following the due process procedures outlined in the Civil Service Law or the applicable collective bargaining agreement. After the completion of the minimum probationary term and before expiration of the maximum probationary term, an appointing authority may terminate the services of the probationer for unsatisfactory performance without a hearing. However, most local civil service rules provide that the probationer must be given notice prior to termination, and may be entitled to an interview with the appointing officer or representative if requested by the employee.

The appointing authority must also determine whether to retain or terminate the probationer **prior** to the end of the probationary term. Except as provided by Municipal Civil Service Rules, **the maximum probationary term cannot be extended**. Most Municipal Civil Service Rules provide that any days the employee is absent during the probationary

term may be added to the minimum and maximum term of the probation. Any absences aggregating to more than 10 days typically must be added to these terms.

Completion of Probation

Most Municipal Civil Service Rules provide that appointments become permanent in one of two ways:

1. Retention of the employee after the successful completion of the maximum probationary term; or
2. Notice to the probationer at any time after the completion of the minimum term of probation that the probationary term has been satisfactorily completed.

The municipal civil service agency must receive notification from the appointing authority whenever an employee successfully completes the probationary term or is terminated during the probationary term.

XXV. Conclusion

There are numerous legal requirements for the appointment of qualified police officers in New York State. We encourage open communication between municipal civil service agencies and law enforcement officials to develop procedures that will meet agency appointment needs and these legal requirements.

This guide should be used as an overview of the process. In making determinations, we encourage the careful reading of the applicable sections of the Civil Service Law, Municipal Civil Service Rules and other related laws. For specific cases, we suggest seeking advice from legal counsel, your Municipal Service Division Consultant, or the Division of Criminal Justice Services regarding administration of the MPTC Standards.

Acknowledgements

We would like to acknowledge the chief law enforcement officials and municipal civil service agencies who provided insight into their procedures and practices which helped structure this guide. In addition, special thanks are extended to the New York State Division of Criminal Justice Services and the Municipal Police Training Council who contributed significantly to this project.

Livingston County Sheriff's Office
Orange County Sheriff's Office
Orleans County Sheriff's Office
Rockland County Sheriff's Office
Warren County Sheriff's Office
Yates County Sheriff's Office

Albion Police Department
Bath Police Department
Colonie Police Department
Medina Police Department
Caledonia Police Department
Dansville Police Department
Geddes Police Department
Geneseo Police Department

Ithaca City Civil Service Commission
Livingston County Personnel Office
Nassau County Civil Service Commission
Onondaga County Department of Personnel
Ontario County Department of Human Resources
Orange County Department of Personnel
Orleans County Department of Personnel
Rockland County Department of Personnel
Warren County Department of Personnel
Tompkins County Personnel Office
Town of Colonie Civil Service Department
Yates County Personnel Department

BIBLIOGRAPHY

Selected procedural manuals published by and available from the Municipal Service Division, New York State Department of Civil Service:

Elements of Recruitment for the Public Service (6/96)

Application Review Manual (6/98)

Local Civil Service Transactions Manual (6/00)

Disqualification of Applicants and Eligibles: The Processes and Procedures (6/98)

Eligible List Administration Manual (6/99)

How to Conduct A Job Interview (6/99)

Medical & Physical Fitness Standards & Procedures for Police Officer Candidates (MPTC - 3/06)

APPENDICES

- A. Sample Police Officer Examination Announcement Guide
A Guide to the Written Test for Entry-Level Police Series
- B. Written Test Administration Issues
- C. Medical & Physical Fitness Standards & Procedures for Police Officer
Candidates (MPTC)
- D. Sample Physical Fitness Screening Test Form
Sample Medical Examination Report Form
Police Officer Candidate Checklist
- E. Certification of Employment Form (DCJS - 2214-a)

APPENDIX A

ANNOUNCEMENT GUIDE FOR POLICE OFFICER/DEPUTY SHERIFF EXAMINATIONS

Note: Refer to the manual *Elements of Recruitment for the Public Service* for additional information on all sections of the announcement.

Police Officer/Deputy Sheriff Examination

EXAMINATION DATE:

LAST DATE FOR FILING: #

Note: Your announcement must be specific as to whether applications must be postmarked by this date or received in your office by this date.

FEE STATEMENT:

___ A \$_____ non-refundable application fee is required for each separately numbered examination for which you apply. The required fee must accompany your application. Send (*specify acceptable method of payment--personal check, certified bank check, money order, etc.*) payable to _____. Write the examination number(s) and the applicant's name on the (check, money order, etc.).

___ Applicants who do not submit the required fee or whose personal checks are returned for insufficient funds will

___ If your application is disapproved, the fee will not be refunded. You should carefully review the announced minimum qualifications and any residence requirements and apply only for those examinations for which you clearly qualify.

___ Applications (postmarked/received) after the last date for filing will

___ Applicants whose personal checks are returned for insufficient funds

___ **Exception to Fee Requirement:**

___ The application fee will be waived if you are receiving

___ To request a waiver, refer to the instructions on the application and provide the information requested. All claims are subject to verification.

Location of Positions/Vacancies:

The eligible list established as a result of this examination will be used to fill full-time/part-time vacancies in (department, towns, villages) under the jurisdiction of the _____ Personnel Officer/Civil Service Commission). Vacancies are expected to occur from time to time.

SALARY:

RESIDENCE REQUIREMENTS: Check your Civil Service Rules for the length of residence for participation in examination and/or preference in certification.

(For Police Officer):

Candidates must be legal residents of _____ County or one of the contiguous counties of _____ for at least ___ months immediately preceding the date of the examination. Preference in certification for appointment may be given to successful candidates who have been residents of the municipality in which appointment is to be made for (time) {immediately preceding the date of the examination/date of certification/date of appointment.

(For Deputy Sheriff):

Candidates must have been legal residents of _____ County for (time) immediately preceding the date of the examination. Candidates must be residents of the County at time of appointment.

Note: Recruitment may be extended beyond the County for Deputy Sheriffs—discuss with your consultant.

DUTIES:

This position exists in the (Agency Police Department/Sheriff's Department) and is responsible for the protection of life and property within the department's jurisdiction through the enforcement of Vehicle and Traffic Law, New York State Criminal Procedure Law and local ordinances. This work involves responsibility for the enforcement of laws and ordinances and the protection of lives and property in an assigned area during a specific shift. The duties consist primarily of routine patrol tasks, assisting in investigation of criminal offenses and the apprehension of criminals. Direct supervision is received from a higher-ranking officer. Does related work as required.

MINIMUM QUALIFICATIONS:

Education: By the date of appointment, candidates must be a high school graduate or holder of a high school equivalency diploma issued by an education department of any of the states of the United States or holder of a comparable diploma issued by any commonwealth, territory or possession of the United States or by the Canal Zone or holder of a report from the United States Armed Forces certifying successful completion of the tests of general educational development, high school level.

Note: Applicants who do not possess a high school or equivalency diploma are eligible to take the examination but will not be eligible for appointment until they obtain such diploma. For information on how to obtain an equivalency diploma, write to the New York State Education Department, Albany, NY 12234.

SPECIAL REQUIREMENTS:

Age: Candidates must be at least 19 years of age on or before (examination date) to be admitted to the written test. Eligibility for appointment as a police officer begins when the candidate reaches age 20. Candidates who reach their 35th birthday on or before the date of the written examination are not qualified except as follows:* Candidates may have a period of military duty or terminal leave up to six years, as defined in Section 243 (10-a) of the Military Law, deducted from their age for the purpose of meeting the age requirement.

*Section 58.1(a) requires that applicants not be "more than thirty-five years of age as of the date when the applicant takes the written examination . . ." Candidates who may be impacted by the maximum age requirement and who are requesting an alternate test date (for active military duty, Sabbath observance or for an alternate test date situation which meets the conditions of the agency's alternate test date policy) are advised to contact (your civil service agency) to discuss their request.

Citizenship: United States Citizenship is required at time of appointment. It is not necessary for admission to the examination.

Driver's License: Candidates must possess a valid New York State Operator's license at time of appointment.

Background Investigation and Additional Screenings

Each candidate will be subject to a thorough background investigation. Applicants may be required to authorize access to educational, financial, employment, criminal history, mental health records or other records. Conviction of a felony will bar appointment. Conviction of a misdemeanor or other offense are subject to evaluation and may bar appointment. At the discretion of the employing law enforcement agency candidates may be subject to additional screenings as a term and condition of employment, including but not limited to, fingerprinting and psychological testing. Drug testing is included in the required medical exam. Applicant may be required to submit the necessary fees for the fingerprint processing.

Training Requirements

Individuals must satisfactorily complete the Basic Course for Police Officers as prescribed by the Municipal Police Training Council and required by Section 209-q of General Municipal Law within one year of appointment in order to attain permanent status in the position.

SUBJECT OF EXAMINATION:

There will be a written test which you must pass in order to be considered for appointment. Only your score on the written test will be considered when computing your final score. In addition, candidates must meet the physical fitness and medical standards prescribed by the Municipal Police Training Council. Candidates passing the written portion of the examination will have their names placed on the eligible list but will be required to pass qualifying physical-agility test before they can be certified for permanent appointment. These tests will be given as the needs of the service require. Candidates who pass the qualifying physical fitness test and who are given a conditional offer of employment will be scheduled to take the required medical examination.

WRITTEN TEST:

The written test will be designed to test for knowledge, skills and/or abilities in such areas as:

- 1. APPLYING WRITTEN INFORMATION (RULES, REGULATIONS, POLICIES, PROCEDURES, DIRECTIVES, ETC.) IN POLICE SITUATIONS:** These questions test for the ability to apply written rules in given situations similar to those typically experienced by police officers.
- 2. PREPARING WRITTEN MATERIAL IN A POLICE SETTING:** These questions test for the ability to prepare the types of reports that police officers write. You will be presented with a page of notes followed by several questions. Each question will consist of four restatements of the information given in the notes. From each set of four, you must choose the version that presents the information most clearly and accurately.
- 3. READING, UNDERSTANDING, AND INTERPRETING WRITTEN INFORMATION:** These questions test for the ability to read, understand, and interpret the kinds of written information that police officers are required to read during their formal training period and on the job.
- 4. MEMORY FOR FACTS AND INFORMATION:** These questions test for the ability to remember facts and information presented in written form. You will be given 5 minutes to read and study the information in the Memory Booklet. After the 5-minute period, the Memory Booklet will be taken away. You will then be required to answer questions about the material that was presented in the Memory Booklet.

The rating key for this examination will be established by the New York State Civil Service Commission prior to the date of the test, upon recommendation of a committee of police experts who will review all the questions for appropriateness and the key answers for correctness. There will be no review of the questions by candidates. This committee was selected with the assistance and endorsement of the Police Conference of New York, Inc., the New York State Association of PBA's, Inc., and the New York State Association of Chiefs of Police, Inc.

The use of calculators is prohibited for this examination.

QUALIFYING PHYSICAL FITNESS TEST

The three elements measured in the qualifying physical fitness test are muscular endurance, absolute strength and cardiovascular capacity. The following is a brief description of the physical fitness test.

Muscular Endurance—The requirement is for a number of bent-leg sit-ups to be performed in one minute.

Push Up—This test measures muscular endurance of the upper body (anterior deltoid, pectoralis major and triceps). The requirement is for a number of full body repetitions that a candidate must complete without breaks.

Cardiovascular Activity—1.5 mile run; the requirement is for the attainment of a score calculated in minutes and seconds.

The Municipal Police Training Council adopted the physical fitness-screening test based on the model formulated by the Cooper Institute of Aerobics Research. The minimum passing scores, depending on age and sex, represent the fortieth (40th) percentile of physical fitness as established by the Cooper Institute. Failure on a part of qualifying test will remove your name from further consideration for appointment.

Copies of the physical fitness and medical standards are available upon request from (your agency).

RETEST POLICY FOR THE PHYSICAL AGILITY IF APPLICABLE should be stated here.

NOTE: Since a test guide is available for this entry-level Police Officer/Deputy Sheriff examination, *it is essential that all candidates be aware of and able to easily obtain a copy of the guide.* To ensure that all candidates receive a copy, we recommend you follow one of the suggested procedures listed below.

1. Mail a copy to all approved candidates no later than two weeks before the test date. The Subject of Examination section of your announcement must contain a statement such as: "A *Guide to Taking the Examination for Entry Level Police Officer Series* will be sent to all approved candidates no later than two weeks before the test date. If you have not received a copy by _____, please call the <your office name , address, phone number> to request a copy."

OR

2. Include the following statement in the Subject of Examination section of your announcement: *A Guide to Taking the Examination for Entry Level Police Officer Series* is available in the Civil Service Office or at the New York State Department Of Civil Service web site: <http://www.cs.state.ny.us/jobseeker/local/index.cfm> If you do not have access to the world wide web, you may call/write <your office name, address, phone number> to obtain a copy.

RELIGIOUS OBSERVER/DISABLED CANDIDATES/ MILITARY MEMBERS:

Applicants whose religious beliefs or military service prevent their taking examinations on the scheduled date and disabled candidates who require special accommodations to take the test should indicate the need for special arrangements on their application.

Military Service Members: If you apply for an examination during the filing period but are on active military duty on the date the examination is scheduled, you may request a military makeup examination. Contact (*your agency*) for more information. If you are on active duty or discharged

after the filing period has begun, you may apply for the examination up to ten days before the test date.

SECTION 23.2 STATEMENT:

This examination will be prepared and rated in accordance with Section 23.2 of the Civil Service Law. The provisions of New York State Civil Service Law, rules and regulations dealing with the preparation and rating of examinations will apply to this examination.

CROSS FILER STATEMENT:

If you have applied for any other civil service examination to be given on the same test date for employment with New York State or any other local government jurisdiction excluding New York City, you must make arrangements to take all the examinations at one test site.

If you have applied for both State and local government examinations, you must make arrangements to take all your examinations at the State examination center by calling (518) 457-7022 no later than two weeks before the test date.

If you have applied for other local government examinations, call or write to each civil service agency to make arrangements no later than two weeks before the date of the examinations. You must notify (in writing) all local government civil service agencies with whom you have filed an application of the test site at which you wish to take your examination.

VETERAN'S CREDIT:

Veterans or disabled veterans who are eligible for additional credit must submit an application for veteran's credit with their application for examination or at any time between the dates of their application for examination and the date of the establishment of the resulting eligible list. Applications for veteran's credit are available from this office. Veteran's credits can only be added to a passing score on the examination.

Effective January 1, 1998, the State Constitution was amended to permit a candidate currently in the armed forces to apply for and be conditionally granted veteran's credit in examinations. Any candidate who applies for such credit must provide proof of military status to receive the conditional credit. No credit may be granted after the establishment of the list. It is the responsibility of the candidate to provide appropriate documentary proof indicating that the service was in time of war, as defined in Section 85 of Civil Service Law, and that the candidate received an honorable discharge or was released under honorable conditions in order to be certified at a score including veteran's credits.

NOTE: In conformance with Section 85-a of the Civil Service Law, children of firefighters and police officers killed in the line of duty shall be entitled to receive an additional ten points in a competitive examination for original appointment in the same municipality in which his or her parent has served. If you are qualified to participate in this examination and are a child of a firefighter or police officer killed in the line of duty in this municipality, please inform this office of this matter when you submit your application for examination. A candidate claiming such credit has a minimum of two months from the application deadline to provide the necessary documentation to verify such additional credit. However, no credit may be added after the eligible list has been established.

GENERAL INFORMATION:

Note: The general information should include specific information such as:

- Where and how to obtain applications
- What the last date for filing means (i.e., applications must be received in your office or postmarked by the date)
- Notice of when and where to appear to take the written test

- If candidates have not received a notice to appear for the written test three days before the date of the test, they should call
- Reminder to notify your agency of a change of address
- Alternate test date information
- What candidates are to do in case of a weather emergency
- Any other important information specific to your agency

EEO STATEMENT:

ISSUE DATE:

**New York State
Department of Civil Service**

Committed to Innovation, Quality, and Excellence

A Guide to the Written Test

for the

**Entry-Level Police Officer Series
(Including Deputy Sheriff)**



George E. Pataki
Governor

Daniel E. Wall
Commissioner

INTRODUCTION

The New York State Department of Civil Service has developed this test guide to familiarize you with the Entry-Level Police Officer Series written test. This test guide provides a general description of the subject areas to be tested and an explanation of the different types of questions that will be presented. The Examination Announcement will list the subject areas that will be included on the test you will be taking.

The Entry-Level Police Officer Series written test has an overall time allowance of 5 hours, plus 5 minutes to read and study the information in the Memory Booklet. The test will cover the following subject areas:

- 1. APPLYING WRITTEN INFORMATION (RULES, REGULATIONS, POLICIES, PROCEDURES, DIRECTIVES, ETC.) IN POLICE SITUATIONS:** These questions test for the ability to apply written rules in given situations similar to those typically experienced by police officers.
- 2. PREPARING WRITTEN MATERIAL IN A POLICE SETTING:** These questions test for the ability to prepare the types of reports that police officers write. You will be presented with a page of notes followed by several questions. Each question will consist of four restatements of the information given in the notes. From each set of four, you must choose the version that presents the information most clearly and accurately.
- 3. READING, UNDERSTANDING, AND INTERPRETING WRITTEN INFORMATION:** These questions test for the ability to read, understand, and interpret the kinds of written information that police officers are required to read during their formal training period and on the job.
- 4. MEMORY FOR FACTS AND INFORMATION:** These questions test for the ability to remember facts and information presented in written form. You will be given 5 minutes to read and study the information in the Memory Booklet. After the 5-minute period, the Memory Booklet will be taken away. You will then be required to answer questions about the material that was presented in the Memory Booklet.

For each subject area listed above, this test guide provides an explanation of the **TEST TASK**, a **SAMPLE QUESTION**, and a discussion of the **SOLUTION** for the sample question. You should study each sample question and solution to understand which choice is the correct answer.

SUBJECT AREA 1

APPLYING WRITTEN INFORMATION (RULES, REGULATIONS, POLICIES, PROCEDURES, DIRECTIVES, ETC.) IN POLICE SITUATIONS: These questions test for the ability to apply written rules to given situations similar to those typically experienced by police officers.

TEST TASK: You will be given a set of rules, regulations, or other written information to read. You will then be asked a question which requires you to apply the rule to a given situation.

SAMPLE QUESTION:

RULE: Patrol vehicles should be checked at the start of each shift. Do not assume that the vehicle is in satisfactory condition. Check all of the lighting equipment, all emergency equipment, siren, engine, oil, transmission fluid, battery, radiator and gasoline levels, tire pressure and condition (including spare), lug wrench, jack, windshield wipers and windshield washer fluid level. Check the body of the vehicle for damaged or missing parts and report any problems, damage, or discrepancies to your supervisor. At the end of your shift, leave the vehicle in optimum condition for emergency use by the next officer.

SITUATION: Officer Burton is about to begin her patrol shift when she discovers that her police vehicle has a large dent in the left rear bumper. She knows that the vehicle did not have this dent yesterday, when she last drove it.

QUESTION: According to the above Rule, Officer Burton should most properly

- A. request that she be assigned a different vehicle
- B. begin her shift and be alert to any operating problems
- C. find out what other officers have used the vehicle since her last shift
- D. inform her supervisor about the dented bumper

The answer is D.

SOLUTION: *The Situation states that Officer Burton has discovered a dent in the bumper of her patrol vehicle that did not exist when she last used it. The question asks what she should do about it. To answer the question, evaluate all of the choices.*

Choice A states that the officer should request a different vehicle. There is nothing in the rule that states that the officer should do this. Choice A is incorrect.

Choice B states that the officer should begin her shift and be alert to any operating problems. The rule states that the officer should report any problems with the vehicle to her supervisor. Choice B is incorrect.

Choice C states that the officer should find out what other officers have used the vehicle since her last shift. There is nothing in the rule that states that the officer should do this. Choice C is incorrect.

Choice D states that the officer should inform her supervisor about the damaged bumper. This conforms to the given rule that states that the officer should report any problems, damage, or discrepancies to her supervisor. Choice D is the correct answer.

SUBJECT AREA 2

PREPARING WRITTEN MATERIAL IN A POLICE SETTING: These questions test for the ability to prepare the types of reports that police officers write. You will be presented with a page of notes followed by several questions. Each question will consist of four restatements of the information given in the notes. From each set of four, you must choose the version that presents the information most clearly and accurately.

TEST TASK: You will be presented with some notes about an incident. You must determine which one of four choices expresses the facts presented in the notes in phrasing and punctuation that results in a clear and accurate presentation of those facts.

SAMPLE QUESTION: Following is a portion of notes about an incident.

NOTES: Responded to a call from 26 Arbor Ave. Residence of Tessa and John Wynter. Pulled in driveway. Saw woman on Wynters' porch. Identified herself as Mrs. Orvis, a neighbor.

QUESTION: Which one of the following choices most clearly and accurately expresses the facts presented in the notes?

- A. I responded to a call from 26 Arbor Avenue, the residence of Tessa and John Wynter. When I pulled into the driveway, I saw a woman on their porch. She identified herself as Mrs. Orvis, a neighbor.
- B. Responding to a call from 26 Arbor Avenue, the residence of Tessa and John Wynter, and pulling into the driveway, I saw a neighbor on their porch, who identified herself as Mrs. Orvis.
- C. When I responded to a call from 26 Arbor Avenue, the residence of Tessa and John Wynter, I saw pulling into their driveway a woman on their porch who identified herself as Mrs. Orvis, a neighbor.
- D. Responding to a call from 26 Arbor Avenue, I saw a woman on the porch of Tessa and John Wynter's residence. She identified herself as Mrs. Orvis, a neighbor.

The answer is A.

SOLUTION: *To answer this question, evaluate all the choices.*

Choice A: This choice presents all the information in the notes in the correct sequence. This choice says that the officer responded to a call from the Wynter residence, pulled into the driveway, and saw a woman on their porch who identified herself as Mrs. Orvis, a neighbor.

Choice B: "I saw a neighbor on their porch" suggests that the officer knew that it was a neighbor on the porch before Mrs. Orvis told the officer who she was. This choice is incorrect.

Choice C: "I saw pulling into the driveway a woman on their porch" is not phrased and punctuated correctly. For C to be correctly written, there should be a period after "Wynter," and the next sentence should begin: "Pulling into the driveway, I saw..." This choice is incorrect.

Choice D: This choice does not identify 26 Arbor Avenue as the residence of Tessa and John Wynter. Also, another piece of information is missing: the officer does not say that he/she pulled into the driveway. In police writing, every detail is important. This choice is incorrect.

SUBJECT AREA 3

READING, UNDERSTANDING AND INTERPRETING WRITTEN INFORMATION: These questions test for the ability to read, understand, and interpret the kinds of written information that police officers are required to read during their formal training period and on the job.

TEST TASK: You will be provided with brief reading passages and then will be asked questions relating to the passages. All the information required to answer the questions will be provided in the passages.

SAMPLE QUESTION:

“The increasing demands upon our highways from a growing population and the development of forms of transportation not anticipated when the highways were first built have brought about congestion, confusion, and conflict, until the yearly toll of traffic accidents is now at an appalling level. If the death and disaster that traffic accidents bring throughout the year were concentrated into one calamity, we would shudder at the tremendous catastrophe. The loss is no less catastrophic because it is spread out over time and space.”

Which one of the following statements concerning the yearly toll of traffic accidents is best supported by the passage above?

- A. It is increasing the demands for safer means of transportation.
- B. It has resulted in increased congestion, confusion, and conflict on our highways.
- C. It does not shock us as much as it should because the accidents do not all occur together.
- D. It has resulted mainly from the new forms of transportation.

The answer is C.

SOLUTION: *To answer this question, evaluate all the choices.*

Choice A: Nowhere in the passage does it say that there has been any demand for safer means of transportation. Someone who picks this choice may believe that there could be or should be a demand for safer transportation, but there is nothing in the passage to base it on. This choice is incorrect.

Choice B: The passage states that it is the congestion, confusion, and conflict which results in the high toll of traffic accidents and not the other way around. A person who picks this choice could either be confused as to which is the cause and which is the effect or not have read the choice carefully. This choice is incorrect.

Choice C: This choice is supported by the last two sentences in the passage. The writer says, “If ..., we would shudder.” (A shudder is a response to shock.) The implication is that we don’t shudder because traffic accidents do not all occur at the same time and place. The writer then points out that we should think of the yearly toll as being catastrophic (shocking) even though the accidents are spread out over time and space. This choice is supported by the information in the passage.

Choice D: There are two reasons given in the passage for the high accident rate. One is the development of new forms of transportation; the other is the increased highway use from a growing population. Neither one is described as the main reason. It is clearly incorrect to say that the new forms of transportation are the main reason. This choice is incorrect.

SUBJECT AREA 4

MEMORY FOR FACTS AND INFORMATION: These questions test for the ability to remember facts and information presented in written form after you have been given a period to read and study the information.

TEST TASK: You will be given a Memory Booklet containing a story. The story will be considerably longer than the one presented here. You will have 5 minutes to read and study the information in the Memory Booklet. You will NOT be allowed to take notes. At the end of the study period, the monitor will collect the Memory Booklets containing the story and then will hand out the test booklets containing the test questions. The first group of questions in this test booklet will ask you to recall the facts and information presented in the Memory Booklet.

SAMPLE MEMORY STORY: Officer Gary Hanson of the Burke Police Department was questioning Mathew Meyers, the owner of Meyers Sporting Goods located at 321 Payne Avenue, about a burglary that occurred the previous evening. Meyers said that when he arrived at the store at 8:50 A.M., he noticed that the rear door had been broken into. Meyers said that, after he had checked his inventory, he was missing 20 rifles, 16 pellet guns, 12 shotguns, and 8 pistols.

SAMPLE QUESTION: How many shotguns did Meyers tell the Officer were missing from his store?

- A. 8
- B. 12
- C. 16
- D. 20

The answer is B.

SOLUTION: *This question asks how many shotguns did Meyers tell the Officer were missing from his store. The last sentence in the Memory Story states, "...Meyers said that ... he was missing 20 rifles, 16 pellet guns, 12 shotguns, and 8 pistols."*

Choice A: This is the number of missing pistols. Choice A is incorrect.

Choice B: This is the number of missing shotguns. Choice B is correct.

Choice C: This is the number of missing pellet guns. Choice C is incorrect.

Choice D: This is the number of missing rifles. Choice D is incorrect.

TEST SECURITY

The test you will be taking is the property of the New York State Department of Civil Service. Candidates may not remove test material from the test site and may not reproduce, reconstruct, or discuss the test content with others. Unauthorized possession or disclosure of the test material is prohibited by law and punishable by imprisonment and/or a fine. Additionally, candidates may be disqualified from appointment to the positions for which the examination is being held and from being a candidate for any civil service examination for five years. After you take the test, other individuals may want to talk with you about the test. You should not discuss the questions and answers, even in general terms. You should be careful that you do not inadvertently violate test security and put yourself at risk.

CONCLUSION

Your attitude and approach to the test will influence how well you perform. A positive attitude will help you do your best. There are also some practical things you should do.

Before the test ...

- Study and review this test guide to familiarize yourself with the types of questions that will be on the test.
- Study and review the subject areas that will be covered on the test.

On the day of the test ...

- Arrive at the test site on time.
- Come to the test prepared: bring your admission notice, two No. 2 pencils, your photo ID containing your signature, a quiet lunch or snack, and any other necessary materials.
- Do **NOT** bring this test guide to the test site.

During the test ...

- Read and follow all directions on your admission notice, test booklets, answer sheets, and Candidate Directions.
- Follow the Monitor's instructions.
- Keep track of the time.

After the test ...

- Do **NOT** remove any test materials from the test room and do **NOT** paraphrase, reconstruct, or reproduce the test material in any way.
- Do **NOT** discuss the test material with others.

It is the policy of the New York State Department of Civil Service to provide reasonable accommodation to ensure effective communication of information to individuals with disabilities. If you need an auxiliary aid or service to make the information in this test guide available to you, please contact the New York State Department of Civil Service Public Information Office at (518) 457-9375.



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DEPARTMENT OF CIVIL SERVICE**
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November 2006

APPENDIX B

POLICE ENTRANCE EXAMINATION-- TEST ADMINISTRATION ISSUES

EXAM SECURITY

All test material and related information is secure material and should not be accessible to any agency or test administration staff who have family members or members of their immediate household who are candidates for this examination. Because of the security of these examinations, we also ask that your agency do an internal security review before the delivery of the test materials. This review would determine if there are any office staff for whom there may be the potential appearance of a conflict of interest if they participate in the test administration or if these test materials are delivered to your office. If so, please call Local Examinations to make alternate arrangements for delivery of test materials.

Agency staff who intend to take this examination or who have family members or members of their immediate household participating in this examination should file a "Notice of Intent" (MSD 35) which should be kept on file in your agency. A copy of the "Notice of Intent" should be forwarded to Local Exams for the exam files.

All test administration staff who have not already done so, should be required to complete the "Security Agreement for Test Administrators" (MSD 250). This form should be kept in your examination folder.

CROSS FILERS

Notification of Cross Filing

The announcement must have information to candidates who cross file between State and/or local agency examination on the procedures they are to follow. By policy, if a candidate has cross filed for a State examination, they must take their examination at the State center. If a candidate cross files with other local government agencies, they must notify each agency with whom they file an application the location of the local agency at which they intend to appear to take their written test. We recommend that the candidate do so in writing to establish a record of their intention. This will allow your agency to follow up with the alternate site if there is a question about the candidate appearing for the examination.

Tracking the Cross Filed Candidates

Test Materials

All of the test materials for the December Police Entrance examination are contained in the Memory Booklet and one multiple choice test booklet. Whether a candidate will be taking the written test at a State or a local test site, all the materials (s)he needs will be available to them when they appear to take the test. For this reason, there **is no need to notify Local Exams of your cross filers** since there are no arrangements to be made for test materials to be sent. (Please note **this is an exception** to the general policy regarding cross filers.)

Admission Notices

Candidates who cross file with the State or other local agencies should be sent the usual admission notice. They should take this admission notice with them to the site at which they take their exam. The admission notice should be processed in the usual way during the test administration; the signed admission notice(s) should be collected at the end of the administration of the written test. Admission notices collected at the State centers will be returned by Rating to Local Exams so they can be forwarded to the appropriate agencies. Admission notices collected by local agencies should be forwarded to the other appropriate local agencies. The return of the admission notices from the alternate sites confirms the candidate's appearance for the written test.

Verifying Candidate Identification

At the different steps in the process, your agency has obtained a signature from the candidate. For agencies who do not use fingerprinting, the signatures on the application form, the admission notice, the release for the physical agility examination, etc. can be compared to verify the identity of the candidate.

TEST ADMINISTRATION

Planning for the Test Administration/Selecting the Test Site(s)

The Entry Level Police Officer/Deputy Sheriff and the related State examination(s) is the **only** written examination series held on the December test date. This is to facilitate the administration of the test for what is likely the largest candidate population for your agency. Given the difficult logistics of making arrangements for a large examination holding, when your agency is aware of their participation in the examination, you should contact the various sites at which you intend to hold the examination to be sure you will not have problems reserving the necessary space for the test administration. The sites should be reviewed well in advance for its appropriateness for the holding—for example to ensure that there is sufficient parking, access to the site, the areas of the building intended for use will present no problems for security and ease of administration etc.

Weather Emergencies

On occasion, Local Exams receives calls concerning weather forecasts and the potential for having to postpone a local civil service test administration.

Unless the county or city where the exam is to be held has declared a snow or weather related emergency and the public has been advised to stay off the roads, the exam is to be conducted as scheduled, if at all practicable to do so. **The decision to cancel should not be made until the day of the exam for security reasons and should not be based on a forecast.**

If the weather does dictate that the exam cannot be held:

- You should have a mechanism in place so candidates can be notified that the exam is not being held as scheduled. How candidates can obtain this information should be included as part of your announcement.
- You must notify the Local Examinations Section at localexams@cs.state.ny.us or (518) 457-4487 as soon as possible on the Monday following the scheduled exam date to inform this department of your need to cancel a test administration so alternative test arrangements can be expeditiously developed.

Training Test Administration Staff

Local Exams will forward to your agency an "advance package" to assist you agency in preparing for the administration of the written test. This advance package will contain "generic" *Candidate Directions* and *Special Instructions for Monitors* for your use in training the test administration staff you will hire to administer this examination. The "generic" will be identical in content to the ones that will be used on the day of the test. The only difference in content is the deletion of the specific Test Booklet numbers.

The *Special Instructions for Monitors* are provided to ensure a uniform administration of the written examination at each site and in each test room in which it is given. While your agency may customize parts of it for different practices as Candidate Identification, the test administration portion of these instructions must be read and followed exactly as they are written. When your agency receives these as part of the advance package, if there are any questions, please contact Local Exams.

You will need to include in your training the use of the Candidate Identification Record (T-172). If a candidate is to be scored for an examination, the examination number must be entered on the T-

172. Candidates need to enter on the Candidate Identification Record **all** examination numbers for which they have Admission Notices. Monitors should carefully review this record to be sure only appropriate examination numbers are entered. The Admission Notices from other civil service agencies need to be collected in accordance with your agency's normal test procedures.

Timing the Memory Booklet

The written test for Entry Level Police Officer/Deputy Sheriff consists of a timed memory booklet and a multiple choice written test. The first 15 questions in the written test booklet will ask to recall the facts and information presented in the Memory Booklet.

Accurate timing of the Memory Test Booklet is critical for uniform administration of this examination. It is important that candidates be given exactly the exact time allowance for the Memory Booklet. Monitors need to know in advance how they will time this portion of the examination-using a room clock, a watch or a stopwatch.

Since the memory test is a test of short-term memory, the monitors must be trained to collect the Memory Test Booklets and give the candidates the multiple-choice Test Booklets in the shortest possible time frame. This is especially critical in a large room, such as a cafeteria.

EXAM RESULTS

Confirming Candidate Appearance

To expedite the establishment of the eligible list, we recommend your agency confirm the appearance of candidates shortly after the exam administration. This can be accomplished using the admission notices received at your test site and any returned from the State Test Center or other local agencies. If you cannot confirm the appearance of a candidate to take the written test, you may wish to send the candidate a notice which states:

We will be unable to report a score to you for (Examination # and Title) because our records indicate that you failed to appear to take this examination. Please contact this office immediately if this record is incorrect.

Missing Scores

In spite of monitor diligence in reviewing the Candidate Identification Records (T-172), candidates may fail to enter the examination number for the examination for an agency for whom they are an approved candidate. When your agency downloads the Examination Results, you may find that you do **not** have a score for a candidate who you know appeared to take the written test. To obtain the score, fax a "Request for Missing Test Score" (MSD 120) to Local Exams. To search for the candidate in the exams scoring system, we must have the full Social Security Number for the candidate. The full Social Security Number of a candidate should NOT be sent in an email.

Local Exams will process this form to Testing and the examiner responsible for the examination will review the answer paper and provide the score. The score will be provided in the shortest time frame possible given our resources.

Names on Exam Results Who are Not approved Candidates for Your Agency

When you download your Exam Results, you may find that there are the names of candidates on your exam results who were not approved candidates for your agency.

We have no mechanism at this time to remove the names of candidates from Exam Results. The only thing your agency can do is note that the candidate(s) are not approved candidates on your copy of the Exam Results and reconcile the fees off next year's fee bill. This is problem we see especially in the large entry level police, fire and correction exams. The only suggestion we have is more monitor diligence about what examination numbers candidates put on the Candidate Identification Records.

APPENDIX C

March 29, 2006

**State of New York
Governor George E. Pataki**

Municipal Police Training Council



**MEDICAL AND PHYSICAL FITNESS STANDARDS
AND
PROCEDURES FOR POLICE OFFICER CANDIDATES**

**PRESCRIBED BY THE
MUNICIPAL POLICE TRAINING COUNCIL**



**Chauncey G. Parker
Director of Criminal Justice and
Commissioner of the
Division of Criminal Justice Services**

**Dr. Cedric L. Alexander
Deputy Commissioner
Office of Public Safety
Division of Criminal Justice Services**

www.criminaljustice.state.ny.us/ops/docs/registry/policeapptsmed.pdf

PART 6000
MEDICAL AND PHYSICAL FITNESS STANDARDS AND PROCEDURES
FOR POLICE OFFICER CANDIDATES

(Statutory Authority: Executive Law sections 837(13) and 840; 42 U.S.C. 12101 *et seq.*)

Section	
6000.1	Definitions
6000.2	Statement of purpose
6000.3	Procedures
6000.4	Post-offer medical review
6000.5	Reasonable accommodations
6000.6	Minimum components of the clinical tests
6000.7	Required medical standards; potentially disqualifying conditions
6000.8	Physical fitness screening
6000.9	Essential job functions for entry-level municipal police officers

Section 6000.1 **Definitions.**

When used in this Part:

- (a) The term *council* or *MPTC* shall mean the Municipal Police Training Council.
- (b) The term *qualified physician* or *physician* shall mean a medical doctor licensed to practice medicine in the State of New York who has been determined by the appropriate municipal civil service commission to possess the necessary expertise to administer a medical review pursuant to the provisions of this Part, and who has been designated by such commission to administer such review.
- (c) The term *qualified practitioner* or *practitioner* shall mean a health-related professional who has been determined by the appropriate municipal civil service commission to possess the necessary expertise to administer a medical review pursuant to the provisions of this Part, and who has been designated by such commission to administer such review.
- (d) The term *position* shall refer to the position of an entry-level police officer.
- (e) The term *division* shall refer to the Division of Criminal Justice Services.
- (f) The term "qualified trainer" shall be an individual who has been determined by the appropriate municipal civil service commission to possess the necessary expertise to administer a physical fitness screening test pursuant to the provisions of this Part, and who has been designated by such commission to administer such test.

Section 6000.2 Statement of purpose.

- (a) With the enactment of the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 *et seq.*, into law, the council recognized the need to revise the height, weight, and physical fitness standards for entry-level police officers to ensure that all such standards were job-related, consistent with business necessity, and did not discriminate against qualified persons with disabilities. Over a one-year period, a comprehensive statewide job task analysis of the essential functions of an entry-level police officer was conducted with the participation of over three hundred law enforcement supervisors. A detailed listing of the essential job functions generally common to all police agencies in the State was developed. Based upon that list, a medical advisory group consisting of physicians and other health-related professionals who have examined police officer candidates pursuant to their employment, formulated a list of standards for entry-level police officers, and noted medical conditions which may potentially disqualify a candidate from learning and performing the essential functions of an entry-level police officer. It is important to keep in mind that the job task analysis only identified the essential job functions generally common to all policing. A local police agency may have additional or different essential job functions for its entry-level police officers which are not specifically addressed in the statewide listing.
- (b) The council also recognized the need to revise the physical fitness screening practice so that the test employed provides an accurate assessment of a candidate's physiological capacity to learn and perform the essential job functions of an entry-level police officer. Pursuant to the statewide job task analysis, a battery of physical screening elements was developed, based upon the model formulated by the Cooper Institute for Aerobics Research. The analysis recommended the adoption of such elements for physical fitness screening and determined that such elements do not adversely impact a candidate based upon his/her sex. Each of the physical fitness screening elements of the tests were validated and correlated to the performance of essential job functions.
- (c) The purpose of this Part is to set forth the essential job functions adopted pursuant to the statewide job task analysis which are generally common among all police agencies, the minimum medical and physical fitness standards for entry-level police officer candidates, and the process for medical review by a qualified physician or a qualified practitioner to examine each candidate and allow such candidate to demonstrate on a case-by-case basis, his/her ability to perform the essential job functions of an entry-level police officer, regardless of the existence of a potentially disqualifying condition.

Section 6000.3 Procedures.

Except as otherwise provided in this Part, all candidates interested in an entry-level police officer position shall undergo a physical fitness screening test conducted in accordance with section 6000.8 of this Part. Candidates who successfully complete the physical fitness screening elements as well as other relevant pre-offer conditions shall undergo a medical review conducted

by a qualified physician or practitioner (unless otherwise specified) in accordance with section 6000.4 of this Part. Such medical review shall be conducted only after a conditional offer of employment has been given to the candidate by the local police agency seeking to employ such candidate. All candidates must be found physically able, with or without reasonable accommodations, to perform the essential job functions of an entry-level police officer for the police agency seeking to employ the candidate.

Section 6000.4 Post-offer medical review.

- (a) The qualified physician or practitioner shall assess each candidate on a case-by-case basis to determine whether the candidate can, with or without reasonable accommodations, perform the essential functions of an entry-level police officer for the local police agency seeking to employ the candidate.
- (b) The examining physician or practitioner shall complete a medical examination form based upon the medical review of the candidate. The existence of a potentially disqualifying condition shall not preclude the qualified physician or practitioner from determining that the candidate is able to perform the essential job functions of an entry-level officer. Nothing herein, however, shall preclude the qualified physician or practitioner from noting the existence of any other potentially disqualifying conditions not specifically set forth in this Part, which, in the opinion of such physician or practitioner, may render the candidate unable to perform the essential functions of an entry-level police officer.
- (c) Upon the conclusion of the medical examination, the qualified practitioner or physician shall sign the medical examination form and shall render his/her medical opinion to the employing agency as to whether the candidate can perform the essential functions of an entry-level police officer, noting all relevant medical information. However, in the event that the medical examination reveals the existence of a potentially disqualifying condition, the MPTC strongly recommends that a qualified physician sign the medical examination form (after further review if the initial examination was performed by a qualified practitioner) and render his/her medical opinion to the employing agency as to whether the candidate can perform the essential functions of an entry-level police officer, noting all relevant medical information.
- (d) The qualified physician or practitioner shall determine whether in his/her professional judgment each candidate can, with or without reasonable accommodations, perform the essential functions of an entry-level police officer upon the results of the clinical tests as set forth in section 6000.6 of this Part, the medical standards as set forth in section 6000.7 of this Part, the essential job functions for police officer candidates as set forth in section 6000.9 of this Part, and other relevant medical criteria which in the opinion of the qualified physician or practitioner, may be used to base his/her judgment.
- (e) Based upon the recommendations of the qualified physician or practitioner, the local police agency wishing to employ the candidate shall render the final decision as to whether the offer of employment shall be revoked.

Section 6000.5 Reasonable Accommodations.

It shall be the affirmative responsibility of each local police agency to assess the type(s) of reasonable accommodations which may be necessary to allow the candidate to perform the essential functions of a police officer candidate for such agency and to provide such necessary reasonable accommodations to a qualified candidate with a disability, provided however, that nothing herein shall be construed to require the provision of reasonable accommodations if doing so will impose an undue hardship on the employing agency or a direct threat to the safety of himself/herself or others.

Section 6000.6 Minimum components of the clinical tests.

The MPTC recommends that the qualified physician or practitioner perform a medical examination which includes a thorough history, a physical examination, and clinical tests, which consist of, but are not limited to, the following components:

- (a) urinalysis (Dipstick);
- (b) tuberculosis (Mantoux), if indicated from the findings of the history and/or physical examination;
- (c) electrocardiogram (ECG) (Resting);
- (d) drug screening (Amphetamine; Barbiturates; Cocaine; Methadone; Opiates; Propoxyphene; Methaqualone; Benzodiazepines; Phencyclidine; and Tetra Hydro Cannabinoids); and
- (e) chest x-ray examination, if indicated from the findings of the history and/or physical examination.

Section 6000.7 Required medical standards; potentially disqualifying conditions.

The MPTC establishes the following medical standards which shall be used in evaluating whether a candidate can, with or without reasonable accommodations, perform the essential functions of the position. The existence of any one of the following conditions is only to be considered **potentially disqualifying** (*emphasis added*). Each police agency must consider the medical standard to ensure that it is job-related and consistent with business necessity with respect to their entry-level police officer position. The examining physician or practitioner must determine, based upon his/her medical judgment, whether the existence of such condition renders the candidate unable to perform the essential functions of an entry-level police officer.

- (a) *Eyes and vision.* Requires a case-by-case assessment of each candidate to determine if the candidate is able to perform the essential functions of the position. Unless otherwise specified, all testing under this subdivision must be administered by a qualified physician or practitioner.

- (1) Visual acuity. For visual acuity, the Snellen test is generally recognized as standard. All candidates should have vision better than or equal to 20/30 in each eye. If a candidate must use corrective lenses (glasses or contacts) in order to satisfy the 20/30 vision standard, then such candidate's uncorrected vision should be no worse than 20/100 in each eye.
- (2) Color perception.
 - (i) For color perception, only the 24-plate edition of the Ishihara Test (1974 or subsequent equivalent edition) should be used. Generally, perception of color should be deemed acceptable if the candidate correctly reads at least 9 or more of the first 13 plates of the 24-plate edition of the Ishihara Test. As described in the test manual, this test should be given under lighting conditions approximating a daylight illuminated room (indirect daylight), and not primarily using tungsten or fluorescent lamps. The MacBeth Easel Lamp or the True Daylight Illuminator (TDI), which meets the standards specified by the International Commission on Illumination, or equivalent may be used.
 - (ii) If the candidate's color perception is deemed unacceptable through the use of said test, and he/she believes the results to be incorrect, then such individual must be informed that he/she has recourse to additional testing and a facility identified where he/she may, at his or her own expense, take the Farnsworth-Munsell 100 Hue-Test under the following conditions:
 - (a) The division must be notified in writing, with a copy to the appropriate municipal civil service agency, of the candidate's intention to take the Farnsworth-Munsell 100-Hue Test.
 - (b) The test must be taken at a hospital, medical center, or an academic ophthalmology center having the proper equipment as hereafter specified and the notice must set forth the name of the institution and the New York State (NYS) licensed optometrist or ophthalmologist who will administer the examination.
 - (c) Written approval, or under extenuating circumstances, verbal approval, for the taking of said examination must be received from the division by the candidate before the test is administered and the test must be administered within 45 days of the mailing date of the approval. Such approval shall be granted in every instance provided that the division finds that the hospital, medical center or academic ophthalmology center at which the candidate proposes to be tested has the capability and equipment necessary to perform such test and that the optometrist or ophthalmologist who will administer or interpret the test is properly qualified. In the event that the division finds the facility at which the applicant proposes to be tested is not properly equipped or that the individual who is proposed to administer or interpret the test is unqualified, it shall direct the candidate to a person and/or facility, as conveniently

- located as practicable, by whom or where such test may be properly administered. Where such an alternate test site is directed, the 45-day period referred to above shall be adjusted or extended to accommodate the candidate's needs and convenience.
- (d) If the candidate takes and completes the Farnsworth-Munsell 100-Hue Test, the optometrist or ophthalmologist administering the test shall set forth in writing the results of said test, including the "total error score," the type, nature and degree of any apparent confusion axis, and, if available, the percentile rank of the total error score with reference to the normal population. The optometrist or ophthalmologist shall certify, whether or not the candidate meets the required color perception standards. If upon receipt by the division and by the appropriate municipal civil service agency, the test results demonstrate that the candidate meets said certification, the candidate shall be deemed to have met the color perception requirement.
 - (iii) The test distance stipulated in the Ishihara instruction manual is 75 cm (approximately 30 inches) which makes this primarily a near vision task. Although no specific distance is stipulated for the Farnsworth-Munsell 100-Hue Test, it is assumed that it would be approximately the same or closer distance than that used for the Ishihara Test since the test boxes must be within easy reaching and viewing distance from the candidate.
 - (iv) The qualified physician, practitioner, optometrist or ophthalmologist administering the vision test should test at least near visual acuity immediately prior to administration of the Ishihara and Farnsworth-Munsell 100-Hue Tests, respectively, and the visual acuity thresholds noted and reported along with the color vision test scores. The "Rosenbaum Pocket Vision Screener" or equivalent with testing administered under recommended lighting conditions and at approximately 14 inches from the candidate should ensure accurate results.
 - (v) If the candidate's near visual acuity is within normal limits (Jaeger 2 or Snellen Equivalent of 20/30), the color vision tests should be performed without correction (glasses). For example, even a mild tint in glasses could distort viewing conditions for the color vision tasks and invalidate the test results.
 - (vi) If the candidate is further examined by the use of the Farnsworth Munsell 100-Hue Test, said test should be administered under CIE type C (6740) illumination by using a MacBeth Easel Lamp or the True Daylight Illuminator (TDI) or equivalent. The use of non-specific tungsten or fluorescent illumination is not acceptable for this test. If a candidate fails the initial test, he/she should, upon request, be immediately retested and the lower total error score used for the purposes of qualification. A total error score of not more than 124 is deemed acceptable. The use of any lens by a candidate in order to meet the color perception standards is not acceptable.

NOTE: Prior to administration of the Farnsworth-Munsell 100-Hue Test, the optometrist or ophthalmologist may deem it advisable to administer as an adjunct the Farnsworth Panel D-15 Test. This may be done to familiarize the candidate with the procedural task common to both tests, and supplement interpretation of the required Test. The Farnsworth Panel D-15 Test must likewise be given with the illumination specified for the Farnsworth-Munsell 100-Hue Test.

- (3) Depth perception. Depth perception shall be sufficient to demonstrate normal stereo depth perception to the correctable standard of 80 ARC seconds.
 - (4) Peripheral vision.
- b) *Ears and hearing.* Requires a case-by-case assessment of each candidate to determine if the candidate is able to perform the essential functions of the position.
- (1) Hearing acuity: Hearing levels should be tested from 500 Hertz (Hz) to 6,000 Hz. For purposes of qualification, single hearing levels should not exceed 25 decibels (DB) at either 500, 1,000, or 2,000 Hz nor exceed 30 DB at 3,000 Hz frequencies in each ear. For abnormal testing results between 4,000 and 6,000 Hz frequencies, further refined audiological evaluation is recommended. Unless otherwise specified, the hearing tests are to be administered by a qualified physician or practitioner in an environment and using equipment that meet the current standards (ANSI 1969 or Subsequent Specifications). Any other testing system or conditions are not valid and may not be used.
 - (2) Recourse testing: If the candidate's pure tone screening test is deemed unacceptable, such candidate may, at his/her own expense, have an audiological examination administered by a NYS licensed audiologist, including: (i) hearing sensitivity; (ii) speech discrimination in quiet; and (iii) speech discrimination in noise. Testing should be performed in a sound treated environment meeting the 1969 ANSI or any subsequent standard. The CID W-22 word lists should be presented at 50 DB HL via a calibrated speech audiometer through a single speaker stationed at 0 degrees azimuth with the candidate seated at approximately 1 meter (39 inches) from the speaker. Speech (hearing) discrimination testing in a background of broad-band noise should be conducted in the same sound field environment. Again, using a different version of one of the CID W-22 word lists presented at 50 DB HL, a competing noise should be simultaneously presented at 40 DB HL (S/N = +10) through the same speaker (0 degrees azimuth) as the test words or through a separate speaker located at 180 degrees azimuth. The minimal acceptable standard of speech (hearing) discrimination shall be a score no poorer than 90% in quiet and 70% in noise on two of the pre-recorded versions of the CID W-22 word lists. An open-test response format should be utilized with the candidate responding in writing. Hearing Aid Check -- Biological (HAC-B): Use of hearing aids to achieve such standards are permitted as long as they are self-contained and fit within (auricular) or behind or over (post-auricular) the ear. Hearing Aid Check -- Acoustical (HAC-A): Candidates with hearing aids shall, at

their own expense, provide evidence from a licensed audiologist, using functional gain or real ear measurements, that such aid(s) meet the stipulated manufacturer's standards.

- (3) Perforated Tympanic Membrane.
 - (4) Acute Otitis Media, Otitis Externa, and Mastoiditis.
 - (5) Inner/middle/outer ear disorders affecting equilibrium. If the candidate has historically had episodes of vertigo, he/she may require further evaluation.
- (c) *Nose, throat and mouth.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Loss of sense of smell.
 - (2) Aphonia, speech loss or speech defects.
 - (3) Abnormalities of the nose, throat or mouth which interfere with the candidate's breathing or the proper fitting of a gas mask.
- (d) *Peripheral vascular system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Hypertension. Resting blood pressure should be less than, or equal to, 140 mmHg systolic and 90 mmHg diastolic on three successive readings.
 - (2) Peripheral vascular abnormality, including severe and/or symptomatic varicose veins, venous insufficiency, and thrombophlebitis.
- (e) *Heart and cardiovascular system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Congenital Heart Disease.
 - (2) Valvular Heart Disease.
 - (3) Coronary Heart Disease.
 - (4) ECG Abnormalities, if associated with organic heart disease, which shall include but not be limited to:
 - (i) WPW Syndrome;
 - (ii) ST Depression;
 - (iii) Right or Left Bundle Branch Blocks;
 - (iv) 3 Degree A-V Block;
 - (v) Mobitz Type II A-V Blocks;
 - (vi) Sinoatrial Block or Sick Sinus Syndrome;
 - (vii) Ventricular Extrasystole (Frequent - 20/minute with exercise, 10/minute without exercise);
 - (viii) Ventricular Tachycardia;
 - (ix) Atrial Fibrillation or Flutter; or
 - (x) Symptomatic Supraventricular Tachycardia.
 - (5) Angina.

- (6) Congestive Heart Failure.
 - (7) Cardiomyopathy.
 - (8) Pericarditis, Endocarditis, and Myocarditis.
 - (9) The candidate should have a functional and therapeutic cardiac classification of no greater than NYS Class 1A. (Note: according to the New York Heart Association, Inc., a functional classification of Class 1 refers to patients with cardiac disease, but without resulting limitations of physical activity. Ordinary physical activity does not cause undue fatigue, palpitation, dyspnea or anginal pain. A therapeutic classification of Class A refers to patients with cardiac disease whose physical activity need not be restricted in any way.) This determination shall be made clinically or by a cardiac stress test.
- f) *Respiratory system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Pulmonary Tuberculosis, if associated with abnormal pulmonary function.
 - (2) Chronic Bronchitis.
 - (3) Chronic Obstructive Pulmonary Disease.
 - (4) Emphysema.
 - (5) Bronchiectasis and Pneumothorax.
 - (6) Pneumonectomy.
 - (7) Acute Mycotic Diseases, including, but not limited to, Coccidioidomycosis and Histoplasmosis.
 - (8) Acute Pleurisy.
 - (9) Malignant Diseases.
- (g) *Gastrointestinal system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Colitis, including but not limited to Crohn's Disease, Ulcerative Colitis, Irritable Bowel Syndrome (symptomatic or needing medication), and Bacterial Colitis.
 - (2) Diverticulitis.
 - (3) Esophageal Disorders, including, but not limited to Esophageal Stricture, Lower Esophageal Ring and Esophageal Spasm.
 - (4) Pancreatitis.
 - (5) Gall Bladder Disorders.
 - (6) Active Peptic Ulcer Disease.
 - (7) Symptomatic Inguinal, Umbilical, Ventral, Femoral, or Incisional Hernias.
 - (8) Malignant Disease of the Liver, Gall Bladder, Pancreas, Esophagus, Stomach, Small or Large Bowel, Rectum or Anus.
 - (9) Gastrointestinal Bleeding.
 - (10) Active or Chronic Hepatitis.
 - (11) Cirrhosis of the Liver.

- (h) *Genitourinary system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Pregnancy. The qualification of the candidate is dependent upon the stage of the normal pregnancy.
 - (2) Nephrectomy.
 - (3) Acute Nephritis.
 - (4) Nephrotic Syndrome.
 - (5) Acute Renal/Urinary Calculi.
 - (6) Renal Transplant.
 - (7) Renal Failure.
 - (8) Hydrocele and Varicocele (Symptomatic).
 - (9) Malignant Diseases of Bladder, Kidney, Ureter, Cervix, Ovaries, Breasts, Prostate, etc.
 - (10) Active Venereal Diseases.
 - (11) Urinary Tract Infection.
 - (12) Polycystic Kidney Disease.
 - (13) Pelvic Inflammatory Disorders.
 - (14) Endometriosis.
 - (15) Inflammatory Disorders, including but not limited to Prostatitis, Orchitis, Epididymitis.
- (i) *Endocrine and metabolic systems.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Uncontrolled Thyroid Disease.
 - (2) Diabetes Mellitus.
 - (3) Adrenal Dysfunction, including but not limited to, Addison's Disease and Cushing's Disease.
 - (4) Symptomatic Hypoglycemia.
 - (5) Untreated Thyroid Malignancy.
- (j) *Musculoskeletal system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Disorders that limit motor performance.
 - (2) Cervical Spine or Lumbosacral Fusion.
 - (3) Degenerative Cervical or Lumbar Disc Disease, if Symptomatic.
 - (4) Extremity Amputation.
 - (5) Osteomyelitis.
 - (6) Muscular Dystrophy.
 - (7) Loss in motor ability from tendon or nerve injury/surgery, if an area that is related to the candidate's performance of the essential job functions.

- (8) Arthritis.
 - (9) Coordinated Balance.
 - (10) Symptomatic Herniated Disc.
 - (11) Spinal Deviations.
- k) *Hematopoietic and lymphatic systems.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Hematopoietic disorders, including malignancies, including, but not limited to, Sickle Cell Disease and Thalassemia.
 - (2) Hemophilia.
- (l) *Nervous system.* Requires a case-by-case assessment as to the control of the condition and the presence and severity of symptoms and complications to determine if the candidate is able to perform the essential functions of the position.
- (1) Seizure Disorder (Petit/Grand Mal). The candidate is expected to have been seizure-free for at least 12 months prior to the date of this examination. In addition, certification may be required from the treating neurologist that there are no restrictions on the candidate related to the performance of the essential functions of the entry-level position.
 - (2) Cerebral Palsy.
 - (3) Movement Disorders, including, but not limited to Parkinson's.
 - (4) Cerebral Aneurysms.
 - (5) Syncope.
 - (6) Progressive Neurological Diseases, including, but not limited to, Multiple Sclerosis and Huntington's Chorea.
 - (7) Peripheral Nerve Disorder, including, but not limited to Polyneuritis, Mononeuritis and Neurofibromatosis.
 - (8) Narcolepsy.
 - (9) Cerebral Vascular Accident.
 - (10) Central Nervous System Infections.

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6000.8 Physical fitness screening.

(a) *Procedures.*

- (1) The municipal civil service commission shall designate a qualified trainer to administer the physical fitness screening test to determine the underlying physiological capacity of a candidate to learn and perform the essential job functions of an entry-level police officer. Such test shall be administered prior to the making of a conditional offer of employment by the local police agency seeking to employ the candidate and shall be administered to the candidate prior to the post-offer medical examination to be conducted by the qualified physician or practitioner in accordance with section 6000.4 of this Part unless the municipal civil service commission can demonstrate that it could not reasonably conduct such screening test at the pre-offer stage of employment.
- (2) Prior to the administration of the test by the qualified trainer, the municipal civil service commission may ask the candidate to assume legal responsibility and release such commission of liability for injuries resulting from any physical or mental disorders. In addition, the commission may furnish such candidate with a description of the physical fitness screening test and require certification from the candidate's physician that he/she is physically capable of participating in the physical fitness screening test. If the commission requests such certification from one candidate, it must request such certification from all candidates.
- (3) If a candidate is unable to perform an element of the test, the municipal civil service commission may provide for an alternative element to be substituted, which, in the judgment of such commission, will render a demonstrably valid assessment of the individual's physiological capacity for the particular factor to be measured.

(b) *Elements of the test battery.*

Elements of the test battery to be used for physical fitness screening are described below. Although these elements may not be directly representative of essential job functions to be performed by an entry-level police officer, such elements do measure the candidate's physiological capacity to learn and perform the essential job functions. The minimum scores for employment as an entry-level police officer as set forth below represent the 40th percentile of fitness. If a candidate does not successfully score to the 40th percentile of fitness for each of the elements of the test battery, the candidate shall not be deemed to have successfully completed the physical fitness screening test. Nothing herein shall preclude an administrator of such screening test from substituting an element of the test battery, which such administrator has determined and validated to accurately assess the candidate's physiological capacity to learn and perform essential job functions. The 1.5 mile run shall only be administered to such individuals who have successfully completed each of the other two elements of the test battery (sit-up and push-up).

Medical & Physical Fitness Standards and Procedures for Police Officers Candidates -13-

- Sit-up Muscular endurance (core body) - The score indicated below is the number of bent-leg sit-ups performed in one minute.
- Push-up Muscular endurance (upper body) - The score below is the number of full body repetitions that a candidate must complete without breaks.
- 1.5 Mile Run Cardiovascular capacity - **The (time) score indicated below is calculated in minutes:seconds.**

	Age : Gender		Test	
	Age	Sit Up	Push Up	1.5 Mile Run
Males	20-29	38	29	12:29
	30-39	35	24	12:53
	40-49	29	18	13:50
	50-59	24	13	15:14
	60+	19	10	17:19
Females	20-29	32	15	15:05
	30-39	25	11	15:56
	40-49	20	9	17:11
	50-59	14	9	19:10
	60+	6	9	20:55

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Section 6000.9 Essential job functions for entry-level municipal police officers in New York State.

The following list of essential job functions common to all policing was developed pursuant to the statewide job task analysis of all entry-level police officers. These functions do not define the entire scope of duties relevant to an entry-level police officer, but rather, are those which have been found to be generally essential to all entry-level police officers in all jurisdictions of this State. The employing agency must perform a case-by-case analysis to determine that such functions are job related and consistent with business necessity with respect to their entry-level police officer positions. The essential job functions/tasks are:

- (a) *Arrest and detention of suspects.*
 - (1) Advise persons of constitutional rights (Miranda Warning).
 - (2) Arrest persons pursuant to a warrant.
 - (3) Conduct warrantless arrests (nontraffic).
 - (4) Inspect vehicle for weapons and/or contraband (e.g., before and after prisoner transport).

- (b) *Control civil disorder.*
 - (1) Control hostile groups (e.g., demonstrators, rioters).
 - (2) Use chemical agents (e.g., tear gas, mace).
 - (3) Wear gas mask to use chemical agents.

- (c) *Collection and preservation of evidence.*
 - (1) Collect evidence and personal property from crime scene.
 - (2) Document chain of custody for evidence.
 - (3) Protect crime scene until specialized or back-up assistance arrives.
 - (4) Record location of physical evidence and fingerprints at scene.
 - (5) Secure crime scene.
 - (6) Initial/Mark/Label evidence.

- (d) *Crime scene search.*
 - (1) Determine area of crime scene.
 - (2) Search crime scenes for physical evidence.
 - (3) Conduct on-the-scene suspect identifications (e.g., show-up or one-on-one suspect identification).

- (e) *Vehicle operations.*
 - (1) Engage in emergency driving in congested area.
 - (2) Engage in high speed pursuit or response driving off road.
 - (3) Engage in high speed pursuit or response driving on open road.
 - (4) Operate vehicle in heavy rain.

- (5) Operate vehicle on ice covered road in winter months.
- (f) *Driving while intoxicated (DWI)/ enforcement.*
 - (1) Arrest DWI suspects.
- (g) *Emergency preparedness/disaster control.*
 - (1) Determine existence of hazardous materials at scene of wreck (e.g., train, vehicle, etc.).
 - (2) Evacuate persons from dangerous areas (e.g., fire, chemical accident).
 - (3) Secure accident and disaster scenes.
- (h) *Emergency medical assistance.*
 - (1) Administer cardio-pulmonary resuscitation (CPR).
 - (2) Apply basic first aid to control bleeding.
 - (3) Apply basic first aid to treat for amputations.
 - (4) Apply basic first aid to treat for choking (e.g., Heimlich method).
 - (5) Apply basic first aid to treat for convulsions.
 - (6) Apply basic first aid to treat for diabetic reaction.
 - (7) Apply basic first aid to treat for heart attack.
 - (8) Apply basic first aid to treat for seizure.
 - (9) Apply basic first aid to treat for shock.
 - (10) Talk with person attempting suicide to get them to stop or delay attempt.
 - (11) Use protective gear to prevent contact with infectious diseases.
 - (12) Take mentally deranged person into custody for their own protection.
 - (13) Use blood-borne pathogen clean-up kit.
- (i) *Interview and interrogation.*
 - (1) Interview victims of sex crimes.
 - (2) Record confessions in writing.
- (j) *Motor vehicle accident prevention.*
 - (1) Take precautions to prevent additional accidents at accident scene.
- (k) *Patrol operations.*
 - (1) Execute felony motor vehicle stop.
 - (2) Respond to crime in progress calls.
- (l) *Search and seizure.*
 - (1) Conduct field search of arrested persons.
 - (2) Conduct frisk or pat down.
 - (3) Search premises or property in hot pursuit/emergency situations.

(m) *Deadly force.*

- (1) Clean and inspect weapons.
- (2) Discharge firearm at night.
- (3) Discharge firearm at person.
- (4) Draw weapon to protect self or third party.
- (5) Participate in firearms training.
- (6) Secure firearm when off-duty (e.g., home).
- (7) Fire weapon in dark environment with flashlight in one hand.

(n) *Response and investigation.*

Respond to and conduct preliminary investigation of events related to:

- (1) homicide;
- (2) rape;
- (3) robbery;
- (4) felony assault;
- (5) burglary;
- (6) arson and bombing/attempts;
- (7) weapons/firearms offenses;
- (8) sex offenses;
- (9) family offense;
- (10) domestic violence;
- (11) fatal traffic accident;
- (12) vehicular homicide;
- (13) vehicular assault;
- (14) felony traffic crime;
- (15) firearm accidents;
- (16) suicide;
- (17) death/bodies found; or
- (18) disaster.

(o) *Use of physical force.*

- (1) Break up fights between two or more persons.
- (2) Carry by yourself an immobile child.
- (3) Pull person out of a vehicle to effect rescue.
- (4) Subdue physically attacking person.
- (5) Use weaponless defense tactics.
- (6) Subdue person resisting arrest.
- (7) Disarm violent armed suspect.
- (8) Pull person out of vehicle who is resisting arrest.
- (9) Search for a person in a darkened building or environment.
- (10) Strike person with baton.

APPENDIX D

POLICE OFFICER
PHYSICAL FITNESS SCREENING TEST

Civil Service Agency

Date

Candidate

Signature

Age _____ Weight _____ Sex

Physicians Release to participate attached _____

TEST

	Candidates' Score	Minimum Passing Score
Sit-Up - Number performed	_____	_____
Push-Up - Number performed	_____	_____
1.5 mile run - Time minutes:seconds	_____	_____

The candidate meets the Physical Fitness Standards prescribed by the Municipal Police Training Council:

Circle One

Yes No

Signature (Qualified Trainer)

Note To Physician/Practitioner. This form does not include all potentially disqualifying conditions. Please refer to the Medical and Physical Standards and Procedures for Police Officer Candidates prescribed by the Municipal Police Training Council (Rev. 996) for a complete listing of all potentially disqualifying conditions.

MEDICAL EXAMINATION REPORT

NAME (Last) _____ (First) _____ (M.I.) _____

TO BE COMPLETED BY EXAMINING PHYSICIAN/PRACTITIONER

The existence of any one of the following conditions is only to be considered potentially disqualifying. The examining physician/practitioner must determine based upon his/her medical judgment whether the existence of such condition(s) or any other condition(s) not specifically set forth herein, renders the candidate, with or without reasonable accommodations, unable to perform the essential functions of an entry level police officer.

The examining physician/practitioner should conduct a medical history and administer a medical examination, which must include, but is not limited to, the following components.

	<u>Findings</u>	
	Normal/ Negative	Abnormal/ Positive
Urinalysis (Dipstick)	_____	_____
Tuberculosis (Mantoux) (if necessary, see standards)	_____	_____
Electrocardiogram (ECG) (Resting)	_____	_____
Drug screening (Ten Panel - see standards)	_____	_____
Chest X-Ray (if necessary, see standards)	_____	_____

Significant medical history and abnormal findings on examination must be described within the pertinent section of this report.

VISION

Visual Acuity

	<u>Right Eye</u>	<u>Left Eye</u>
Uncorrected	20/_____	20/_____

Corrected	20/_____	20/_____
-----------	----------	----------

Peripheral	<u>Circle One</u>	
	Adequate	Inadequate

Color Perception *

Total Number of the first thirteen (13) Ishihara Plates read correctly _____

*Only the 24 Plate Edition of the Ishihara Test should be used

Depth Perception

Candidate must demonstrate normal stereo depth perception to the correctable standard of 80 ARC seconds

Please indicate whether the candidate meets or exceeds the standards in the following areas.

EAR CONDITIONS

Perforated Tympanic Membrane _____

Acute Otitis Media, Otitis Externa, Mastoiditis _____

Ear disorders affecting equilibrium _____

Other abnormality _____

NOSE - THROAT - MOUTH

Loss of sense of smell _____

Aphonia, speech loss or speech defects _____

Abnormalities which would interfere with proper fitting of gas mask _____

Other abnormality _____

PERIPHERAL VASCULAR SYSTEM

Blood Pressure (mmHg) _____ / _____
systolic/diastolic

Hypertension _____

Peripheral Vascular abnormality _____

Other abnormality _____

HEART AND CARDIOVASCULAR

Heart Disease _____

ECG Abnormalities _____

Angina _____

Cardiac Classification _____

Other abnormality _____

RESPIRATORY SYSTEM

Pulmonary Tuberculosis _____

Chronic Obstructive Pulmonary Disease _____

Emphysema _____

Other abnormality _____

GASTROINTESTINAL SYSTEM

Colitis _____

Active Ulcers _____

Chronic Hepatitis _____

Cirrhosis of the Liver _____

Malignant Disease _____

Other Abnormality _____

GENITOURINARY SYSTEM

Pregnancy _____

Nephrectomy _____

Renal Failure _____

Active Venereal Disease _____

Kidney Disease _____

Other Abnormality _____

ENDOCRINE/METABOLIC SYSTEMS

Uncontrolled Thyroid Disease _____

Diabetes Mellitus _____

Adrenal Dysfunction _____

Symptomatic Hypoglycemia _____

Untreated Thyroid Malignancy _____

Other Abnormality _____

MUSCULOSKELETAL SYSTEM

Disorders that limit motor function _____

Cervical spine or lumbosacral fusion _____

Disc Disease (Symptomatic) _____

Extremity Amputation _____

Muscular Dystrophy _____

Spinal Deviation _____

Other abnormality _____

HEMATOPOIETIC/LYMPHATIC SYSTEMS

Hematopoietic Disorders _____

Hemophilia _____

Other abnormality _____

NERVOUS SYSTEM

Seizure Disorder _____

Cerebral Palsy _____

Movement Disorders _____

Progressive Neurologic Disease _____

Cerebral Vascular Accident _____

Central Nervous System Infections _____

Other abnormality _____

OTHER POTENTIALLY DISQUALIFYING CONDITIONS

The causes for disqualification are not limited by the above list of potentially disqualifying conditions. The physician/practitioner may ask any question, make any examination and disqualify a candidate for any condition(s) which in his/her medical judgment would render the candidate, with or without reasonable accommodation, unable to perform the essential functions of an entry-level police officer.

List any other potentially disqualifying conditions _____

I affirm that the information provided to the physician/practitioner is true under the penalties of perjury.

Signature of Candidate _____ Date: _____

The candidate meets the Medical and Physical Fitness Standards prescribed by the Municipal Police Training Council with or without reasonable accommodations:

Circle One

Yes No

If no, reason(s) for disqualification: _____

If, in your opinion, the candidate can perform the essential functions of an entry-level police officer with a reasonable accommodation, please describe the accommodation required:

Signature of Examining Physician/Practitioner: _____

Date: _____

POLICE OFFICER HEARING TEST*

Civil Service Agency

Date

Candidate

Signature

	<u>Left Ear</u>	<u>Right Ear</u>
Decibel Loss at 500 Hz	_____	_____
Decibel Loss at 1000 Hz	_____	_____
Decibel Loss at 2000 Hz	_____	_____
Decibel Loss at 3000 Hz	_____	_____
Decibel Loss at 4000Hz	_____	_____
Decibel Loss at 6000Hz	_____	_____

The candidate meets the Hearing Standards prescribed by the Municipal Police Training Council:

Circle One
Yes No

Signature - (Physician/Practitioner)

Date

* ANSI (1969 or Subsequent Specifications)

POLICE OFFICER CANDIDATE CHECKLIST

NAME: _____

I. APPLICATION	YES	NO
Citizenship	_____	_____
Residency (If Required)	_____	_____
High School or Equivalency	_____	_____
Drivers License	_____	_____

OTHER APPLICATION PROBLEMS: _____

II. PHYSICAL FITNESS	<u>YES</u>	<u>NO</u>
Achieved Minimum Passing Score on Each Standard	_____	_____

III. MEDICAL **MEETS STANDARDS**

Please see the Standards for a complete listing of potentially disqualifying conditions.

	<u>YES</u>	<u>NO</u>
Blood Pressure	_____	_____
Urinalysis	_____	_____
Electrocardiogram	_____	_____
Drug Screening	_____	_____
Visual Acuity	_____	_____
Peripheral Vision	_____	_____
Color Vision	_____	_____
Depth Perception	_____	_____
Hearing	_____	_____

OTHER MEDICAL PROBLEMS: _____

	<u>YES</u>	<u>NO</u>
CANDIDATE'S SIGNATURE	_____	_____
STATEMENT OF APPROVAL OR DISAPPROVAL	_____	_____
PHYSICIAN/PRACTITIONER'S SIGNATURE	_____	_____

APPENDIX E



State of New York
Division of Criminal Justice Services
Office of Public Safety

POLICE REGISTRY ENTRY FORM - CERTIFICATION OF EMPLOYMENT
(Executive Law § 845)

THIS FORM IS USED TO REGISTER A POLICE OFFICER WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES. USE THIS FORM FOR ALL APPOINTMENTS AND TRANSFERS. FORMS PRESENTED FOR FILING MUST CONTAIN ORIGINAL SIGNATURES. ALTHOUGH THE BLANK FORM MAY BE DUPLICATED, PHOTOCOPIES OF COMPLETED FORMS, OR FORMS WITH PHOTOCOPIED SIGNATURES WILL NOT BE ACCEPTED.

Pursuant to Executive Law §845, police departments are required to register police officers with the Division of Criminal Justice Services (Division). The Division uses the police registry to determine an individual's eligibility to receive a police training certificate, and for other lawful purposes. The Division reserves the right to require further documentation as necessary to properly classify a registrant. The information provided may be added to the registry and made available pursuant to law.

SECTION I: REGISTRANT INFORMATION

This section must be completed by the police officer registrant. Only individuals appointed to positions defined in Criminal Procedure Law Article 1, Section 1.20, subdivision 34 are eligible for registration.

Type or print legibly, the registrant's full name, complete home mailing address, home street address if different, and county of home residence. Temporary addresses are not acceptable. If the registrant is temporarily living away from home (e.g. enrolled at a college or university, on military assignment, etc.) DO NOT list the temporary address. Enter the registrant's gender, date of birth and city/state/country of birth. Registrants not born in the United States MUST include a certified copy of one of the following: (1) naturalization papers; (2) Department of State Birth certificate; or (3) currently valid United States Passport. The registrant's social security number is also requested. While not required, the accuracy of linking future training records with appointment information cannot be assured without it. Carefully read the certification. Sign and date in the area provided. With the exception of social security number, the information in Section I is required. Incomplete submissions will not be processed.

SECTION II: AGENCY INFORMATION

Unless a written agreement is on file with the Division, this section must be completed by the Chief Law Enforcement Officer (Chief, Sheriff, Director) of the appointing authority. The Executive Law mandates that all police officers must be registered with the Division of Criminal Justice Services. The information in Section II identifies the law enforcement agency with which the registrant is a police officer.

Type or print legibly, the chief law enforcement officer's full name and title. Enter the agency name, agency address and telephone number (including area code). Enter information regarding the type of appointment, civil service classification and eligibility for appointment of the person named in Section I. Indicate whether a background investigation and residency check were conducted, and if fingerprints were submitted to DCJS. Carefully read the certification. Sign and date in the area provided. The information in Section II is required. Incomplete submissions will not be processed.

SECTION III: CIVIL SERVICE INFORMATION

This section must be completed for all registrants, both full and part time, by the appropriate civil service commission officer. Civil Service Law mandates that the appointment of officers to the police force of a police department or district must meet certain requirements. The information in Section III describes the registrant's appointment.

Type or print legibly, the civil service commission officer's full name and title. Enter the name, address and telephone number (including area code) of the civil service commission office. Enter the job title and civil service classification of the person named in Section I. This should be the specific title/classification to which the registrant was appointed and that appears on the agency payroll. Carefully read the certification. Sign and date in the area provided. The information in Section III is required. Incomplete submissions will not be processed.

SECTION IV: OATH OF OFFICE

This section must be completed by the appropriate registrar/recorder of oaths of office. The Public Officers' Law mandates that every officer take and file an oath of office. The Information in Section IV indicates the date the oath was taken by the registrant, the place of filing, and title of the office.

Type or print legibly, the registrar/recording officer's full name and title. Enter the name, address and telephone number (including area code) of the registrar's/recorder's office. Enter the date the person named in Section I took and filed the oath of office for the position to which he or she was appointed with the agency named in Section II. Indicate the title of the office to which the registrant was sworn (e.g. police officer, deputy sheriff, etc). Carefully read the certification. Sign and date in the area provided. The information in Section IV is required. Incomplete submissions will not be processed.

Mailing Instructions

Completed forms should be mailed to:

NYS Division of Criminal Justice Services
Office of Public Safety - Police Registry
4 Tower Place
Albany, NY 12203

Questions

If you have any questions regarding this form, call (518) 457-2667 for assistance.

**POLICE REGISTRY ENTRY FORM/
CERTIFICATION OF EMPLOYMENT**

SECTION I – REGISTRANT INFORMATION (To be completed by the registrant)

Last Name	First Name	MI	Date of Birth	Social Security Number
Home Residence Mailing Address	City, State, Zip		County of Home Residence	Gender <input type="checkbox"/> M <input type="checkbox"/> F
Home Residence Street Address (if Different)	City, State, Zip		City, State, Country of birth (if other than U.S.)	
<i>I am the person named above. I understand that the information in Section I is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.</i>				
Signature				Date

SECTION II – AGENCY INFORMATION (To be completed by the chief law enforcement officer)

Last Name	First Name	MI	Title of Person Signing Section II	
Name of Law Enforcement Agency			Telephone	
Address		City, State, ZIP		
Type of Appointment <input type="checkbox"/> Full-time <input type="checkbox"/> Part-time	Background Check Conducted <input type="checkbox"/> Yes <input type="checkbox"/> No	Residency Verified <input type="checkbox"/> Yes <input type="checkbox"/> No	Fingerprints submitted to DCJS <input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>I am the chief law enforcement officer responsible for appointing the person named in Section I as a police officer of the above named law enforcement agency. I understand that the information in Section II is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.</i>				
Signature				Date

SECTION III – CIVIL SERVICE INFORMATION (To be completed by the civil service officer for all registrants full or Part-time)

Last Name	First Name	MI	Title of Person Signing Section III	
Name of Civil Service or Personnel Agency			Telephone	
Address		City, State, ZIP		
Title and Civil Service Classification of the Registrant				
<i>I am the civil service officer responsible for certifying the appointment of individuals appearing on the payroll of the law enforcement agency named in Section II. I understand that the information in Section III is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.</i>				
Signature				Date

SECTION IV – OATH OF OFFICE (To be completed by the registrar responsible for recording oaths of office)

Last Name	First Name	MI	Title of Person Signing Section IV	
Name of Recording Office			Telephone	
Address		City, State, ZIP		
Oath of Office Date	Oath of Office Title of the Registrant			
<i>I am the officer responsible for recoding the oaths of office of individuals appointed as police officers of the law enforcement agency named in Section II. The person named in Section I has filed an oath of office as a police officer, pursuant to an appointment received from the person named in Section II. I understand that the information in Section IV is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.</i>				
Signature				Date

It is the policy of the New York State Department of Civil Service to provide reasonable accommodation to ensure effective communication of information to individuals with disabilities. If you need an auxiliary aid or service to make this information available to you, please contact the New York State Department of Civil Service Public Information Office at (518) 457-9375.

Visit the New York State Department of Civil Service web site
www.cs.state.ny.us



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