

**CITY OF LITTLE ROCK
BACKGROUND STANDARDS FOR
POLICE OFFICER SELECTION PROCESS
FEBRUARY 23, 2023**

I. Introduction

Police Officer applicants are subject to a background investigation as a condition of employment. A preliminary background search may be conducted as the first step following application to begin the police officer selection process. The comprehensive background investigation may be conducted after the candidate has successfully completed one or more of the major selection process components, e.g. written examination, physical abilities test or structured interview.

Questions concerning applicants' mental and/or physical status that are protected by the Americans with Disabilities Act (ADA) are delayed until a final Offer of Employment is extended.

The Arkansas Executive Commission on Law Enforcement Standards and Training sets forth in Regulation 1002 and Specification S-3 that a background investigation shall be conducted to determine character traits and habits which might prevent the applicant from becoming a successful law enforcement officer. The background investigation portion of the selection process provides job related information, which the Police Chief and/or Civil Service Commission shall use to determine if an applicant possesses the required personal characteristics for the position of police officer. The Police Chief shall ensure that the background investigation is not used to discriminate unfairly against individuals on the basis of race, sex, religion, age, color, creed, national origin or a physical or mental disability.

II. Application and Enforcement of Standards

These standards outline the factors, which shall result in the disqualification of an applicant from further consideration for the position of police officer. The factors are stated in two categories - singular factors and combination factors. Substantiated evidence of any one of the singular factors shall result in immediate disqualification of the applicant. *Substantiated evidence is defined as evidence that suffices the "Preponderance of Evidence" standard.* Other factors are significant but may not be of such magnitude as to result in immediate disqualification without considering other factors. Therefore, those factors which must be combined with other factors to warrant disqualification shall be referred to as combination factors.

Substantiated evidence of any one of the Singular Factors shall result in immediate disqualification by the Police Chief, or his/her designated representative... Upon substantiation of a violation of a Singular Factor, the Police Chief or his/her designated representative shall immediately discontinue the background investigation of said applicant. The Police Chief or designee shall notify the Chief People Officer in writing of the cause for disqualification.

Where an applicant has not been found to violate a singular factor but the investigation reveals concerns covered in the combination factors category, the background investigation shall be carried out to its logical conclusion. The Police Chief shall, based on the evidence, make a

recommendation to the Chief People Officer regarding certification of the police officer applicant. Disqualification of an applicant based on two or more combination factors will require approval of both the Chief of Police and the Chief People Officer.

III. Singular Factors

Substantiated evidence of any one of the following factors shall result in immediate disqualification for employment as a police officer:

1. Falsification, untruthfulness, or being deceptive by omission of his/her application or supplemental application forms.
2. Failure to appear for pre-background interviews as scheduled.
3. Failure to submit **all** required pre-background documents or to provide complete background supplements after appropriate notification.
4. Failure to appear for any scheduled interviews/appointments during all phases of the hiring process.
5. Failure to consent to required background investigation.
6. Conviction of a felony crime (no time limit).
7. Currently under indictment or information in any court for a crime punishable by imprisonment for a term exceeding one year. (A formal accusation of a crime made by a prosecuting attorney, as distinguished from an indictment presented by a grand jury.)
8. Conviction in any court of a crime punishable by imprisonment for a term exceeding one year. (NOTE: The actual sentence given by the judge does not matter if the judge could have given a sentence of more than one year. This applies even if the conviction has been discharged, set aside, or dismissed pursuant to an expungement or rehabilitation statute.)
9. Close association of the applicant with convicted felons or known criminals, other than his/her immediate family (parents, siblings, and children). This type of situation will be evaluated on a case-by-case basis and shall be based on a reasonable belief that the applicant knew or should have known of the person's past or present criminal background or activities.
10. Illegal Drugs
 - a. Any non-prescribed use of any narcotic or hallucinogenic drug as classified under Schedules I, II, III, IV, and V, (5-64-203, 5-64-205, 5-64-207, 5-64-209, and 5-64-211) and prohibited by statute 5-64-419 of the Arkansas

Criminal Code Uniformed Controlled Substance Act within the past ***five (5)*** years preceding the date of the written examination other than an experimental basis. Exception: The use of LSD, PCP, ***Methamphetamine*** or Heroin at any time in the applicant's life.

- b. Any current illegal use of marijuana as classified under Schedule VI, (5-64-207), of the Arkansas Criminal Code Uniformed Controlled Substance Act other than an experimental basis within the last twelve (12) months preceding the date of the written examination.
 - c. Any current use of steroids as classified under Schedule III, (5-64-207), of the Arkansas Criminal Code Uniformed Controlled Substance Act other than an experimental basis within the last two (2) years preceding the date of the written examination.
 - d. Admission or substantiation by other means that the applicant has been or is selling, offering for sale the use of illegal drugs. In rare cases exceptions may be made if an individual was coerced or unknowingly took part in the sale of illegal drugs.
- 11. Accumulation of 24 or more traffic violation points in the last three years (see attached traffic violation point schedule).
 - 12. Conviction, admission or substantiated activity that would, if convicted, be a misdemeanor that involves "moral turpitude" or would be punishable by imprisonment for a term exceeding one year. Each situation will be reviewed on a case-by-case basis. Intent, malice, knowledge of the gravity of the offense and provocation are elements to be considered in making judgments regarding the conviction. Time and distance from the incident will also be considered, generally events that occurred more than five (5) years before the date of the written examination will not be considered.
 - 13. Adjudicated mentally defective or ever committed (involuntarily) to a mental institution.
 - 14. Conviction of a qualifying state misdemeanor crime of domestic violence or subject of a valid protection order as regulated by Federal Law, which would preclude the applicant's legal possession of a firearm.
 - 15. Dishonorable, Bad Conduct, or Other Than Honorable will result in disqualification.

Entry-Level Separation, Medical Discharge, General Discharge Under Honorable Conditions or Separation for the Convenience of the Government, upon careful review, may result in disqualification.

16. Applicant must demonstrate a history of meeting financial obligations. The following financial factors will result in disqualification:
 - poor or bad credit history with accounts in collections with no effort to repay _
 - the non-payment of child support
 - failure to pay taxes

17. Substantiated evidence found during the review of the applicants social media accounts, which indicates involvement in, belonging to, or posting material relating to discriminatory viewpoints or the violent overthrow of the government.

IV. Combination Factors

Generally, a combination of two or more of the following factors as confirmed by the Chief of Police and the Chief People Officer shall justify disqualification of an applicant from further consideration for the position of police officer.

1. Accumulation of 18 to 23 traffic violation points in the last three years.
2. A pattern of traffic violations including the years previous to the last three years, which suggests that a pattern is established – especially where the traffic violation points of applicants are approaching 18
3. Convincing and documented negative reference or job related information from former employers or the military.
4. Substantiated negative reports from neighbors and acquaintances. Accusations that cannot be verified or corroborated adequately shall not be considered as valid.
5. Any substantiated behavior that would reduce the effectiveness of the applicant or the Little Rock Police Department if the applicant were to be hired.
6. Failure to successfully pass the polygraph examination and failure to provide positive resolution of areas of deception in the post examination interview phase.
7. Applicant must demonstrate a history of meeting financial obligations. The following financial factors will be reviewed and considered on a case by case basis, involving:
 - poor or bad credit history, failure to pay just debts,
 - delinquency on outstanding loans, and
 - bankruptcies, repossessions, foreclosures.

CITY OF LITTLE ROCK TRAFFIC VIOLATIONS REVIEW PROCEDURE

FOR POLICE OFFICER APPLICANTS

Before an applicant for the position of police officer with the City of Little Rock is offered employment, a thorough review of his/her traffic violations record will be completed. Convictions for traffic violations occurring within the last three years will result in the assessment of points against the traffic record of the applicant. Accumulation of 24 or more points during the most recent thirty-six (36) month period will result in immediate disqualification of an applicant from further consideration for employment as a police officer. Accumulation of 18 to 23 violation points may result in disqualification if other factors such as job or military references or neighborhood investigations reveal substantiated concerns about the applicant. Violations prior to the last three years will be reviewed to determine if a cyclical pattern is evident. Points shall be assessed per the following:

<u>CONVICTION</u>	<u>POINTS</u>
A. Driving while under the influence of alcohol or drugs	14
B. Racing	8
C. Evading arrest while operating a motor vehicle	8
D. Failure to stop for school bus	10
E. Reckless driving	8
F. Negligent or inattentive driving	3
G. Speeding	
1. 1-10 mph over speed limit	3
2. 11-20 mph over speed limit	4
3. 21-30 mph over speed limit	5
4. 31 mph or more over speed limit	8
H. Failure to yield right of way	3
I. Improper passing	3
J. Improper turn and lane	3
K. Any other moving traffic violation	3
L. Leaving the scene of an accident	8
M. Non-hazardous traffic violations, e.g., expired license, etc.	3

Multiple violation incidents (multiple convictions stemming from the same incident) shall have points assessed as per the above schedule to a maximum of 18 points per incident, except in incidents involving evading arrest.