

**THE BILL BLACKWOOD
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

**THE DEVELOPMENT OF AN ETHICAL LAW ENFORCEMENT
PROMOTION POLICY**

**A Policy Research Project Proposal
Submitted in Partial Fulfillment
of the Requirements for the Professional Designation
Graduate, Management Institute**

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**Universal City Police Department
Universal City, Texas
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ABSTRACT

An important responsibility facing police administrators is dealing with the department personnel. Judicial scrutiny of personnel issues and similar problems are causing chiefs of police to review departmental policies involving police officer promotions. The goal of this study is to provide the Universal City Police Department, and other law enforcement agencies, with helpful information to develop and write an equitable promotional procedure based upon federal employment laws and court decisions. The lack of an impartial and ethical promotion system in police departments creates problems. Outdated promotion procedures based upon seniority, favoritism, and other biased procedures are discriminatory against qualified personnel that are not given equal opportunity to try for the advancement. While written promotion policies reveal an ethical and fair procedure to the department personnel, they also ensures a good legal defense in civil litigation.

INTRODUCTION

The purpose of this research is to study and evaluate several steps normally identified with police promotions, examine their strong and weak points, identify a fair and responsible promotion policy for the Universal City Police Department and provide guidance to other law enforcement agencies with similar needs.

Unless governed by a civil service statute, many police departments lack a sound promotion policy or continue to base promotions on seniority and favoritism. These outdated promotion policies affect police officers' morale and lower the professionalism throughout the police profession.

Social changes and technological improvements in law enforcement create a need for more educated, better trained and highly skilled officers in the managerial and administrative support levels. There is ample evidence indicating that promotion opportunities are limited for most law enforcement personnel. It is therefore essential for the Universal City Police Department to develop and maintain an ethical promotion policy that will select the best applicant and concentrate on developing an integrated approach to the career path development of police officers who show leadership qualities.

In preparing the research, close attention was given to a search of information published in civilian and public employment management books and journals, and decisions handed down by State and Federal Courts. Information collected from a survey sent to police departments in Texas and additional survey information supplied by others. Collectively, this information guided this search for an equitable and ethical promotion policy.

LEGAL CONTENT

Is there a reason for a fair, equal and ethical promotion policy? Should the department administer a written examination or an oral test? Should employee performance evaluations, seniority, college education or college degree be a consideration in the promotion process? Is assessment center testing an option? The penultimate question is, "Is there a better promotional process for the Universal City Police Department? The prevalent answer to most of these questions will obviously be "yes".

There are three pieces of federal legislation that are the basis of most challenges to municipal employment practices that affect promotions in law enforcement: (1) the Fourteenth Amendment to the U.S. Constitution, (2) Section 1981 of the Civil Rights Act of 1866, and (3) Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972.

Although Title VII is not an exclusive remedy for plaintiffs who allege employer discrimination, it has become the modern civil rights statute (Garmire 245). Title VII prohibits any discrimination based upon race, color, religion, sex, or national origin in all employment practices including hiring, promotion, and firing by employers with fifteen or more employees. In 1964, the U.S. Equal Employment Opportunity Commission (EEOC) was established to investigate alleged violations of Title VII. The mere existence that the agency has a poorly written policy, or no written, promotion policy could be grounds for discrimination violation. The courts consistently find the following as the basis for discrimination:

Promotions based on standards that were vague or subjective, were made without written instructions concerning qualifications necessary for promotion; hourly employees were not notified of promotional opportunities or the necessary qualifications or promotion; and no safeguards to overt discriminatory practices were designed (Klingner 193).

Gaines and Lewis (1982) write "in the legal area, too many police managers have failed to analyze systematically their current arrangements and, when faced with a discrimination suit, they have had no written policy with which to defend the department and its' personnel methods in court"(413).

In Afro American Patrolmen's League v. Duke (1974, CA 6 Ohio) the court held that a seniority rule, which required no less than 5 years seniority service as a patrolman before one became eligible for sergeant examination and additional points added for each year of service, was a discriminatory practice. The mere length of service years added to an applicant's score tended to freeze the status quo of an almost exclusive command corps which had been established by prior discriminatory hiring practices.

Many performance appraisal, and personnel evaluation, scores in the promotion procedure have also been held illegal by the courts. The 1971, U.S. Supreme Court decision in Griggs v. Duke Power Co. had a significant impact on the selection criteria and evaluation techniques of state and local government employers (Bailyn 121). In addition, a number of performance appraisals/evaluations utilized in consideration of promotion were found inappropriately used by employers. Holley and Field (1975) found that a municipal police department violated the Civil Rights Act of 1866 and 1871 and the Equal Protection Clause of the Fourteenth Amendment when the regular service rating of job performance were discriminatory against several black patrolmen, and special service rating of applicants for promotion had racial effects that gave non-blacks an advantage (32). In short, by adding points stemming from performance or personnel evaluation reports to promotion procedures gave unfair advantages to others, while being a disadvantage to others equally qualified but graded by unfair supervisors or on poorly designed appraisal/ evaluation forms.

Written and oral testing have also been validated illegal in many cases due to the type of questions asked. In *Allen v. City of Mobile* (3 FEP 1226, 1979) the court concentrated on how the tests were constructed: were the questions designed to test for particular traits that had been determined to be job related (Gaines and Lewis 411)? The Uniform Guidelines on Employee Selection Procedures (United States, 1978) suggests:

that content validation be reserved for procedures which attempt to measure observable work behaviors (such as observing an officer issue a citation to determine if the officer knew and applied departmental procedures), since frequently there is an "inferential gap" between the results of a test and performance (Gaines and Lewis 411).

In brief, people may respond to a question one way, but behave differently when placed in the appropriate situation.

Douglas Cederblom (1990) concludes that "to prevent-or handle-any legal challenges that occur, it is critical to ensure that the written examination be job-related and valid. Minimally, this means that the examination content must be closely tied to a job analysis of the higher position. Additionally, the examination should be consistent with the Federal Uniform Guidelines on Employee Selection Procedures "(27).

It is generally recognized that chiefs of police are held generally responsible for the operation of their department. Consequently, as chief personnel manager of the police department they bear the responsibility for writing, maintaining and continually evaluating the departmental promotional policy ensuring the process is consistent with legal requirements. Essentially the chief of police can perhaps better obey the law and promote the most qualified personnel by assuring the promotion policy is based upon job related considerations rather than upon unlawful or biased factors such as favoritism, race, color, religion, sex or national origin.

REVIEW OF LITERATURE AND PRACTICE

Chiefs of Police in communities throughout Texas in 1996 were mailed a survey to gain a better understanding of other promotion policies and determine how the Universal City Police Department's current promotion procedure compares (See Appendix A). Twenty-four agencies serving communities ranging in population from 8,000 to 24,600 completed the survey. Four of the agencies are regulated by civil service regulations. Analysis of the questions produced a number of findings and some of the more significant were:

- * 54% required a written test for promotion to sergeant and none for higher ranking positions.
- * 42% required a written test for all rank promotions above patrolman.
- * 5% required no written test for a promotion.
- * 4% required an oral test for promotion to sergeant and none for higher ranking position.
- * 46% required an oral test for all rank promotions above patrolman.
- * 40% required no oral test for a promotion.
- * 72% take officer's productivity/performance evaluation into consideration in the promotion process.
- * 42% give seniority has a factor in the promotion process.

In addition to the promotion procedures, it was important to ascertain the education requirement and career development involved in their promotion policy. Among the most significant of these findings were:

- * 8% required college education or a degree as a prerequisite for promotion.
- * 25% required additional supervisory training beyond that set by Texas law for supervisors under I.A.W. State Government Code, Sec. 414.034, Subsec. "D".
- * 62% required continuing education or in-service training in personnel and

police management courses for supervisors after initial training was completed.

* 7% required supervisory training in order to qualify for a promotion.

While the Universal City Police Department send their supervisors to additional supervisor training courses, it appears evident from the survey the department, and others, needs a written promotion policy that will function within the framework of the law and court decisions. Researchers acknowledge the use of written tests as a significant measuring mechanism in the promotion process. Cederblom (1990) found a written examinations by far the most commonly used method to determine promotions of lower to mid-level police officers in the United States. A 1986 survey of 149 police departments showed that 90 percent used written examinations for promotion to sergeant through captain, while only 44 percent used oral interviews (27).

Gaines and Lewis (1982) assert the oral interview tests as an integral part of the police personnel system and been used in both the selection and promotion process. They found oral interviews a component part of the promotion procedure for the ranks of sergeant and lieutenant (411).

A small percentage of law enforcement agencies use performance evaluations in the promotion process. Holley and Feild (1975) affirm performance ratings are receiving more than just a passing interest for the EEOC and the courts because often they contain bias, are not reliable, and are not demonstrably job related. Performance appraisals are typically composed of a number of artificially defined rating dimensions such as leadership, motivation, or decisiveness" (188).

A 1993 survey by the Houston Police Department found 66% of the patrol officers and 70% of the sergeants felt the performance evaluation system assesses performance badly or not very well (Buenik, 1996).

In 1967, The President's Commission on Law Enforcement and the Administration of Justice recommended university education for police officers (Buckley 77). Carter and Sapp (1990), in their survey of 699 state, county, and municipal law enforcement agencies, found 74.3% had no policies requiring college education for promotion and 2.9% had informal (none written) policies requiring candidates for promotion to have some college hours (71).

Although not conclusive, research suggest that college education:

Develops a broader base of information for decision making; inculcated responsibility in the individual through course requirement and achievements; engendered the ability to handle difficult or ambiguous situations with greater creativity and innovation; made officers more innovative and more flexible when dealing with complex policing problems and strategies; and equipped officers better to perform tasks and to make continuous policing decisions with little or no supervision (Carter and Sapp 71).

DISCUSSION OF RELEVANT ISSUES

Knowing what steps can be implemented in a promotion process and how good the policy is written will be the difference between success or failure of the promotion process and a good or poor legal defense of the policy in civil allegations. Court decisions have made it clear. A promotion policy must be written, stating how notice of the available position will be posted, necessary qualifications, and instructions on applying for the position (Graham and Cameron 26). Once the policy is posted it must be adhered to. Signs of deviation may indicate an illegal move on part of management to circumvent the promotion of otherwise qualified personnel.

Written examinations are widely accepted as a promotional method due mainly to their objectivity, efficiency of administration, and ease of scoring for a large number of candidates. To be within the legal framework set by court rulings and federal laws, validity must be built into an examination by ensuring both the questions and answers are situational and relevant to the jobs for which candidates are competing. An agency can do this by designating to the candi-

dates certain study materials prior to the examination and then develop questions and correct answers referenced from these texts and manuals. Designating study materials and using referenced questions provides candidates with the incentive and opportunity to develop themselves by studying (Cederblom 28-29). Fifty-four percent of the chiefs of police in Texas surveyed indicated their applicants were given a defined reading list that included departmental policies and procedures and other reading materials, such as penal and traffic codes, city ordinances and city personnel management manuals, to study before the exam. Less than one percent surveyed based the test only on a defined reading list of material outside of department manuals while 1% based their test solely on departmental policies and procedures. Five percent of the agencies surveyed stated their written test were given without guidance as to what would be on the exam.

The reliability and validity of oral testing are measured by the score given and type of questions asked by the raters, i.e. oral board members. Reliability refers to its accuracy of the measurement, grade given by the rater or board member. Validity refers to the content of what is being measured, the question. There should be little difficulty in evaluating concurrently each candidate's appearance, education, work history, education and training, knowledge of state laws, city ordinances, departmental regulations and policies (Gaines and Lewis 405).

In keeping law enforcement's move toward community policing, the oral board is an area where the Universal City Police Department should expand the direct relationship between the police department, its officers and citizens. The survey asked the chiefs of police if their department involved members of the community in the promotion process, ninety-two percent said they did not. Nonetheless, when asked how they would rate the procedure (rating 1 to 5 with 1 being low and 5 being high) 63% gave a rating of 3 or better indicating they believe the citizens should be involved in the promotion process.

Seventeen percent of the Texas agencies surveyed advised they give the employee guidance or recommendations for preparing for the oral board test. In keeping with court requirements, validity of questions, applicant must know the fields or areas from which the questions will come from.

Points added to promotional test score for seniority is frowned upon by the courts in the promotion process. Seniority may be used to stipulate the minimum years of experience in a certain grade or rank before a police officer is qualified to apply for a promotion. Fifty-eight percent of the agencies surveyed indicated seniority was a factor in the promotion procedure.

The survey also indicated 67% of the agencies required 2 years experience to qualify for promotion from patrolman to the next highest rank. Eighty percent required 2 years sergeant experience to qualify for promotion to lieutenant. Among agencies that have ranks above lieutenant, 50% required 4 years of experience for promotion to captain and 5 years experience at captain before consideration for assistant chief position.

The principal goal of a performance appraisal is to provide some mechanism for judging police officers that will permit constructive assessment. Supervisory officers compile performance appraisal ratings on officers through lists of relevant job characteristics ranging from traits reflecting knowledge, technical skills and interpersonal compliance (Beutler 324).

Due to the unreliability and bias evidence in scoring performance appraisals caution is the watch word when utilizing the appraisal scores in the promotional process. In civil court proceedings the police department must be able to defend personnel decisions based on performance reviews by showing that the reviews are objective, job-related and unbiased. Steven Falkenberg, Larry Gaines and Gary Cordner (1991) concur that the raters tend to use their own

idiosyncratic evaluation criteria rather than the dimensions which are a part of the rating system (352).

Many law enforcement agencies encourage officers to pursue post secondary education. Ninety-two percent of the agencies surveyed required no college education in the promotion process. Of the 8% that require college education, only one requires a full college degree, bachelor's or master's, for the highest level of management, i.e. Commander and Assistant Chief of Police.

When an organization makes policy changes requiring education or giving additional points in the promotional procedure, it must consider the potential for coincidental negative consequences, such as resentment among personnel disadvantaged by such change (Buckley 80). To aid in the change, and keep within the fair opportunity guidelines, developing a system of educating experience law enforcement officers is one possibility. This might include:

- * providing scholarships and educational leave;
- * adjusting work schedules to accommodate class attendance;
- * providing educational incentive pay; and
- * making education a path to advancement (Molden 13).

Many organizations, civilian and public, have incorporated an assessment center in the promotion process. An assessment center places the participant in the position of actually performing tasks related to the anticipated position. This technique provides an excellent measurement of skills and aptitudes for selection purpose as well as creating managerial talent pools within the organization. It identifies and evaluates the officers attributes and behavior with the advancement position by trained assessors who use group dynamics in reaching an overall evaluation of the participant. The assessment center approach incorporates situational techniques in a simulated environment under standardized conditions (Garmire 252).

Limitations of assessment centers are that they require a lot of time and can be quite expensive. For these reasons they are usually reserve for higher positions, such as captain, assistant chief of police or police chief or for agencies with unlimited funds.

CONCLUSION AND RECOMMENDATIONS

Police agencies with no written promotion policy or poorly written policy leaves the department and the community open for civil litigation that drain financial resources, harms the esprit de corps of employees, and questions the professional level of the police department management and supervisory personnel. In the course of this research it was noted that the courts are questioning the merits of promotions based upon evidence of discrimination being involved.

The Universal City Police Department must minimize or remove a threat of discriminatory lawsuits by addressing the promotion issue. The promotion policy must be written and posted in every employee's operational manuals and ensure employees receive changes in the policy immediately upon adoption.

Recommendations on the written promotion policy include a written examination and an oral board examination for advancement to sergeant and lieutenant. The oral board may have a civilian member from the community to help promote unity between the community and the police department. Promotions to higher ranks such as captain and assistant chief of police would utilize an assessment center in the process.

Seniority will only be use to stipulate the minimum years of experience in a certain rank before being eligible for testing for a higher rank or grade. No points will be added to the test score for years of service.

Performance appraisals scores will not be figured into the applicants test results at this time. The department does not currently utilize an approved performance appraisal format that complies with the guidelines of the courts or EEOC.

In keeping with the fair employment opportunity guidelines, the college education requirement for promotion will not be considered until the department and city management provide the means for current officers and supervisors to obtain higher education levels without being penalize. By providing either educational leave (adjusting work schedules) or assisting with educational costs to all police officers. This would give equal opportunity to everyone to meet education qualifications as applicants that come to the department with college education background.

Written promotion policies are needed in law enforcement. They supply legal protection while providing the department the best qualified police officers assigned to positions with higher responsibility. Based upon the findings in this research, the promotion policy in Appendix B was developed and is recommended for the Universal City Police Department.

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APPENDIX A

SURVEY

Survey mailed to Chiefs of Police in communities throughout Texas to gain a better understanding of other promotion policies being utilized and determine how the Universal City Police Department's current promotion procedure compared.

LAW ENFORCEMENT PROMOTION SURVEY

Research Project by Lieutenant James Fulton
for the
Bill Blackwood Law Enforcement Management Institute
of Texas

I. DEMOGRAPHICS

A. 1. Name: _____ 2. Population? _____

B. Estimated ethnic make-up of the community:

White	_____	% (Non Hispanic)
Black	_____	%
Hispanic	_____	%
Asian	_____	%
Other	_____	%

C. Estimated social make-up of the community:

White Collar	_____	%
Blue Collar	_____	%
Active Military	_____	%
Retired Military	_____	%
Retired Civilian	_____	%
Unemployed	_____	%

II. ABOUT YOUR AGENCY

A. Is your department governed by Civil Service procedures? ☐ YES ☐ NO

1. If yes, do you believe your current promotion process is in the best interest of your department?
☐ YES ☐ NO

2. Why? _____

B. What is the size of your department? (Include all volunteers, part-time and full time civilian and sworn personnel) _____

C. Number of personnel by category:

Sworn Full-Time	_____
Part-Time/Reserve	_____
Civilian Full-Time	_____
Civilian Part-Time	_____
Non-Paid Volunteer	_____

D. Breakdown by rank the number of full-time and reserve sworn personnel:

Full-Time	Rank	Reserve
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_____	Patrolmen	_____
_____	Senior Patrolmen	_____
_____	Patrol Corporal	_____
_____	Patrol Sergeant	_____
_____	Patrol Lieutenant	_____
_____	Patrol Captain	_____
_____	Investigator/Detective	_____
_____	Detective Sergeant	_____
_____	Detective Lieutenant	_____
_____	Captain/Major/Commander	_____
_____	Asst. Chief/Deputy Chief	_____

III. ABOUT YOUR PROMOTION PROCEDURE

A. Are members of the community involved in the promotion process? ☐ YES ☐ NO

1. If yes, state the number and how they are involve:

2. How would you rate the procedure? Give a rating of 1 to 5, with 1 being low and 5 being high: ____

B. Does the promotion procedure from one rank to the next require any of the following?

1. College education? ☐ YES ☐ NO

a. If yes, how much? _____

b. If yes, weight given? _____

c. For which rank positions? _____

2. Written Test? ☐ YES ☐ NO

a. If yes, weight given? _____

b. For which rank positions? _____

c. If a written exam is required, is it?
(check one)

☐ 1) Based on a defined reading list for police supervisors.

☐ 2) Based on department policies and procedures.

☐ 3) Based on both #1 and #2.

☐ 4) Given without guidance as to what would be on the exam.

d. Was the exam certified by the prepares to meet fairness and applicability standards?
☐ YES ☐ NO

e. Who certified the exam to ensure it met fairness and applicability standards?

3. Oral Board? ☐ YES ☐ NO

a. If yes, weight given? _____

b. For which rank promotions? _____

c. Does your agency give the employee guidance or recommendations for preparing for the oral board? ☐ YES ☐ NO

d. Who sits on the oral board and how are the members selected? _____

4. Is the officer's productivity considered in the promotion process? ☐ YES ☐ NO

a. If yes, how much does it count? _____

How is it determined? _____

5. Is seniority a factor in the promotion procedure? ☐ YES ☐ NO

a. If yes, what value or rating do you give for seniority? _____

C. Does your department rely on an assessment center during the promotion procedure? ☐ YES ☐ NO

1. If yes, please describe the process: _____

D. How many years of experience is required at each of the following ranks before the individual is considered for promotion to the next rank?

_____ yrs. Patrol Officer
_____ yrs. Senior Patrol Officer
_____ yrs. Patrol Corporal
_____ yrs. Investigator/Detective
_____ yrs. Patrol Sergeant
_____ yrs. Patrol Lieutenant
_____ yrs. Detective Sergeant
_____ yrs. Detective Lieutenant
_____ yrs. Patrol Captain
_____ yrs. Major/Commander
_____ yrs. Assistant Chief/Deputy Chief

E. 1. How is the department head (i.e. Chief of Police) selected? (check one)

☐ Promoted from within.

☐ Promoted from outside.

☐ May be promoted from within or selected from outside.

2. Check which TCLEOSE certificate(s) and/or college degree(s) are required? (check all that apply)

<input type="checkbox"/> TCLEOSE Basic	<input type="checkbox"/> TCLEOSE Intermediate
<input type="checkbox"/> TCLEOSE Advanced	<input type="checkbox"/> TCLEOSE Master
<input type="checkbox"/> No Degree	<input type="checkbox"/> Associate's Degree
<input type="checkbox"/> Bachelor's Degree	<input type="checkbox"/> Master's Degree
<input type="checkbox"/> Above Master's Degree	

F. 1. How is the department's second highest (i.e. Assistant Chief of Police) selected? (check one)

☐ Promoted from within.
☐ Promoted from outside.
☐ May be promoted from within or selected from outside.

2. Check which TCLEOSE certificate(s) and/or college degree(s) are required? (check all that apply)

<input type="checkbox"/> TCLEOSE Basic	<input type="checkbox"/> TCLEOSE Intermediate
<input type="checkbox"/> TCLEOSE Advanced	<input type="checkbox"/> TCLEOSE Master
<input type="checkbox"/> No Degree	<input type="checkbox"/> Associate's Degree
<input type="checkbox"/> Bachelor's Degree	<input type="checkbox"/> Master's Degree
<input type="checkbox"/> Above Master's Degree	

G. How long has your current promotion procedure been in effect?

☐ Less than 1 year ☐ 1 year ☐ 2 to 5 years
☐ 6 to 10 years ☐ 10 to 15 years ☐ More than 15 years

IV. AFTER THE PROMOTION

A. Is there a probation period after the promotion?
☐ YES ☐ NO

1. If yes, what is the time period? _____

2. Additional remarks: _____

B. Does your agency require management or supervisor training after promotion that exceeds the State minimum training hours I.A.W. State Government Code, Sec 414.034, subsec. "D"? ☐ YES ☐ NO

1. If yes, what is the minimum amount of initial training hours your agency requires?

_____ Classroom Hours
_____ On the Job/Field Training Hours

2. If yes, when must police supervisors have completed their supervisory initial training? (check one)

☐ Within 6 months after promotion.
☐ Within 1 year after promotion.
☐ No time limit set.

3. Does your agency require continuing education or in-service training in personnel and police management courses for supervisors after initial training is completed? ☐ YES ☐ NO

4. Does your agency require supervisory training in order to qualify for promotion? ☐ YES ☐ NO

If YES please explain: _____

- C. Does your agency have an officer (evaluation procedure? ☐ YES ☐ NO

1. If yes, is it done: (check one)

☐ Monthly ☐ Quarterly ☐ Yearly
☐ Other. Please describe: _____

2. Who prepares the evaluation: _____

- D. Does your agency have a procedure for evaluating supervisors? ☐ YES ☐ NO

1. If yes, is it done: (check one)

☐ Monthly ☐ Quarterly ☐ Yearly
☐ Other. Please describe: _____

2. Who prepares the evaluation: _____

- E. Are reserve personnel promoted to supervisory positions? ☐ YES ☐ NO

1. If yes, are they subject to the same procedures as the full-time personnel? ☐ YES ☐ NO

- a. If no, please annotate the difference: _____

2. Does your ranking reserve officer have
supervisory authority over full-time officers?
☐ YES ☐ NO

F. Does your hiring procedure for sworn personnel
involve any of the following: (check all that apply)

☐ Written test ☐ Oral Test ☐ Physical (strength)
☐ Other. Please describe: _____

1. If you checked any of the above, please annotate
where your agency obtain the exam and how and by
whom is it administered? _____

G. Does your agency have an F.T.O. (Field Training
Officer) program? ☐ YES ☐ NO

1. If yes, are your F.T.O.'s required to take police
management courses, other than F.T.O. Management
training course? ☐ YES ☐ NO

THANK YOU again for completing the survey. Please put the
survey in the enclosed stamped self addressed envelope and
mail it before Saturday June 8, 1996. You were an important
participant in this research, please let me know if you would
like a copy of this research paper upon completion. ☐ YES

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* * * * *

APPENDIX B

PROMOTION POLICY

Recommended Promotion Policy for the Universal City Police Department based upon the findings in this research.

**UNIVERSAL CITY POLICE DEPARTMENT
POLICIES AND PROCEDURES**

**POLICY NO. 96-A42
SUBJECT: Promotions**

Date Issued:

Revision Date:

A. Purpose

The propose of this policy is to establish guidelines for a fair and equitable process by which employees are selected for promotion to positions of greater responsibility and increase level of compensation.

B. Eligibility For Promotion

1. Employee must meet the following minimum requirements to be eligible for promotion to any increased level of responsibility or compensation:
 - a. Completed two years in present grade or rank (except Lieutenants seeking higher ranking in the department who must have one year in grade). The Chief of Police can declare a position open to all otherwise eligible if there are not three officers who meet this specific requirement.
 - b. Two years of service prior to the promotion examination with no disciplinary action taken; and
 - c. Candidate submitted a "letter of intent" to the Chief of Police, requesting participation and consideration in promotional selection process, and annotate in an essay format how your selection would benefit the department.
2. An employee must meet the specific eligibility requirements established in the job description prior to being established as a candidate. A candidate will be eligible for promotion only one grade higher than the position currently held.

C. Promotion Examination Notice

1. The Chief of Police shall post a notice in January of each year, listing the sources from which any written promotional or oral examination questions are taken or develop.

2. The Chief of Police publicizes on the department bulletin board a notice of each promotional vacancy.
 - a. Notice shall contain:
 - 1) The position to be filled;
 - 2) The rate of pay and responsibilities of the position;
 - 3) The specific eligibility requirements established in the job description;
 - 4) A synopsis of the testing and scoring process; and
 - 5) The Proposed date and time for the examinations.

D. Process for Promotion

1. For Sergeant and Lieutenant
 - a. Meet eligibility;
 - b. Submit "letter of intent";
 - c. Pass written examination
 - 1) Passing grade will be 75%.
 - 2) Test score will account for one half of final ranking score.
 - 3) Test will be prepared and administered by an instructor from the local junior college or a four year university.
 - d. Pass an Oral Review
 - 1) The Oral Board score will account for one half of the final score.
 - 2) A panel of seven will be appointed by the Chief of Police to serve as the Oral

Review Board. The panel will consist of: 1 Chief of Police from a city not adjoining our city, 3 officers from another police agency with the rank of sergeant or lieutenant, 1 Sheriff representative with rank of sergeant or above, 1 civilian member from the community, and 1 instructor from a junior college or university Criminal Justice Department.

- 3) The Oral Review Board will conduct interviews and rank the candidates. Using scores attained at the Oral Review Board and at the written examination. The names of the top 50%, with no less than 3 names for sergeant and two names for lieutenant, will be forwarded to the Chief of Police for consideration.

e. Review by Chief of Police

- 1) The Chief of Police will review the eligibility list and may use any additional information* he/she deems necessary to arrive at a decision.

2. For Captain and Assistant Chief of Police

a. Officers at the rank of lieutenant.

b. Assessment Center testing

- 1) An assessment center will be selected by the Chief of Police, and be approved City Manager and City Council for the purpose of selecting the appropriate open position.
- 2) The assessment center will rank all applicants and forward the list to the Chief of Police.

c. Review by Chief of Police

- 1) The Chief of Police will review the eligibility list and may use any additional information* he/she deems necessary to arrive at a decision.
- 2) The Chief of Police may interview candidates, and may request other department directors to assist with interview.

3. *Additional Information,

- a. Approved. The Chief of Police may use any of the following that he/she knows or observes first hand in the decision making process: Employee's dependability, initiative judgment and decision making, appearance and demeanor, interpersonal skills, personal motivation, communication skills, supervisory skills, and report writing skills.
- b. Not approved. The Chief of Police may not use any of the following in the decision process: Seniority, education back ground, race, color, religion, sex, national origin or other bias conditions.

E. Final Promotion

The Chief of Police will announce promotions along with the effective date. All promotions are conditional that the employee satisfactory completes a six month probation period.

Policy Number 96-A42 approved by:

Chief of Police's Signature

City Manager's Signature

City Attorney's Signature

Mayor's Signature (After vote of the city council on approval.)