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**CIVIL SERVICE COMMISSION**  
**ANNOUNCEMENT OF EXAMINATION**  
**LIEUTENANT**  
**DENVER POLICE DEPARTMENT**

**March 3, 2008**

Public notice is hereby given that the Civil Service Commission of the City and County of Denver shall hold an examination for the purpose of creating an Eligible Register for promotional appointment to the rank of Lieutenant for the Denver Police Department. All dates, times, and locations contained within this announcement are subject to change. Any change in the dates, times, or locations contained within this announcement will be communicated in writing to all registered candidates.

The provisions contained in this Examination Announcement do not create or constitute any contractual rights between or among the Civil Service Commission, the City and County of Denver and any Police Department employee. The provisions of this Examination Announcement may be modified, rescinded, or revised, in writing, by only the Civil Service Commission, which reserves the right to unilaterally modify, rescind or revise the provisions of this Examination Announcement.

Beginning Annual Salary (January 1, 2008).....\$90,828.00

| <b>Abbreviated Examination Schedule</b> |                         |
|---|-------------------------|
| Registration                            | March 3 – April 4, 2008 |
| Orientation Sessions                    | April 29–30, 2008       |
| Disciplinary History Assessment         | May 13, 2008            |
| Written Test                            | June 2, 2008            |
| Assessment Center                       | July 7-11, 2008         |

**REASONABLE ACCOMMODATION PER THE AMERICAN WITH DISABILITIES ACT:** Please see page 7.

**REASONABLE ACCOMMODATION OF MILITARY LEAVE:** Please see page 7.

**ELIGIBILITY:** To be eligible for the Lieutenant examination, candidates must have been duly appointed to the rank of Sergeant, Denver Police Department, must have held the rank of Sergeant for a continuous period of time of not less than twelve (12) months prior to the date of the Disciplinary History Assessment (tentatively scheduled for May 13, 2008) and must currently be a member of the classified service.

**JOB DESCRIPTION:** A written job description for the rank of Lieutenant is available at the Civil Service Commission and throughout the Denver Police Department. Copies of the job description will also be distributed to candidates at the time of registration.

**REGISTRATION:** Registration for the Lieutenant examination **begins at 6:30 a.m. on March 3, 2008, and ends at 5:00 p.m. on April 4, 2008. Registration for this examination shall not be allowed after April 4, 2008, at 5:00 p.m. Eligible candidates must register in person at the Webb Municipal Office Building, 201 West Colfax Avenue, Civil Service Commission Office, 7<sup>th</sup> floor, in Denver. Office hours are 6:30 a.m. to 5:00 p.m., Monday – Friday, not including holidays. Phone 720-913-3370.**

**Data Verification, Confidentiality and Registration Form:** To register for the examination, each candidate shall review, enter necessary corrections, and sign their Data Verification, Confidentiality and Registration Form. The form lists name, address, and other data as it appears in the Commission's database. In signing the form, the candidate verifies that the points to be awarded for seniority are final. Each candidate must identify and list any relatives who may also be sitting for the examination. Further, each candidate shall review and acknowledge the requirements for confidentiality. Candidates who fail to complete and sign their Data Verification, Confidentiality and Registration Form by the registration deadline shall not be allowed to participate in the examination.

Every candidate is responsible for promptly notifying the Commission office, in writing, of any change of address. Failure to do so may result in disqualification.

**Military Leave Accommodation:** The noted deadlines for registration and completion of registration related documentation are subject to modification on an individual basis, based on an eligible candidate's Military Leave status, as may be required to ensure compliance with the Uniformed Services Employment and Re-employment Rights Act of 1994. (See page 7.)

**PREPARATION OF EXAMINATION:** Pursuant to its rules, the Commission contracted with the firm of CPS Human Resource Services to assist in the development and administration of this examination. This firm has an extensive professional background in test development and has developed and administered numerous examinations for other police departments nationwide, including the rank of Lieutenant. CPS Human Resource Services will be working in consultation with the Commission Staff and Department Subject Matter Experts.

**ORIENTATION SESSIONS:** Two Orientation sessions have been scheduled, on **April 29, 2008,** from **1:00 p.m. to 3:00 p.m.,** and on **April 30, 2008,** from **9:00 a.m. to 11:00 a.m.,** at the Webb Municipal Office Building, floor 4, room 4.G.2. All registered candidates for this examination are strongly encouraged to attend at least one of the Orientation sessions, and may attend both if they elect to do so. Attendance is not mandatory. Only registered candidates will be admitted, and those attending an Orientation session may be asked to present identification before being admitted.

The agenda for both Orientation sessions is identical, however, based on specific candidate questions, some content may vary. The Orientations will provide additional information not included in this Announcement. The Orientations will cover general information about the Disciplinary History Assessment, the Written Test (including Job Knowledge and Situational

Judgment sections), the Assessment Center, the scoring of the examination, confidentiality requirements, and accommodations for those on Military Leave. A videotape of the Orientation Sessions will also be made available for review by candidates on a limited and scheduled basis.

**EXAMINATION COMPONENTS – MAXIMUM POINT VALUES:** The examination components and related maximum point values are as follows:

| <b>COMPONENT</b>                | <b>MAXIMUM POINT VALUES</b> |
|---------------------------------|-----------------------------|
| Disciplinary History Assessment | Pass or Fail                |
| Written Test                    | 30.0 points maximum         |
| Assessment Center               | 65.0 points maximum         |
| Seniority                       | 5.0 points maximum          |
| <b>TOTAL</b>                    | <b>100 points maximum</b>   |

The maximum possible total examination score is 100 points. Of that, a maximum of thirty (30) points may be earned for the Written Test, and a maximum of sixty-five (65) points may be earned for the Assessment Center. A maximum of five (5) points may be awarded for Seniority. No points may be earned or awarded for the Disciplinary History Assessment. The allocation of points is explained further in the following paragraphs.

**DISCIPLINARY HISTORY ASSESSMENT:** Candidates **will not appear in person** for this component. The Disciplinary History Assessment is tentatively scheduled for May 13, 2008. The Assessment provides for a merit based evaluation of a candidate’s disciplinary history. It will be conducted by Civil Service Commission staff. Staff will review the candidate’s Internal Affairs Bureau (I.A.B.) computer printout which lists the candidate’s history of Sustained Cases and, as necessary, will review departmental orders of disciplinary action. Only particular categories of Sustained Cases are considered in the Disciplinary History Assessment (See Attachment A). The component is graded on a Pass or Fail basis. Only those candidates who pass the Disciplinary History Assessment will be permitted to continue in the examination.

**Deadline to Correct the I. A. B. Computerized Data Base:** Candidates are responsible for confirming the accuracy of the information in the I.A.B. computerized data base regarding their history of sustained disciplinary cases. A candidate will have up to, but no later than, **5:00 p.m., Friday, May 9, 2008**, to: 1) contact the Internal Affairs Bureau; 2) identify any errors in the database regarding his/her disciplinary history; 3) provide I.A.B. personnel with the necessary documentation to correct any identified errors, and; 4) confirm database corrections.

**Only Three (3) Defined Categories of Sustained Rule Violations Are Considered:** There are three (3) defined categories of sustained rule violations that are used in the Assessment. Only these three (3) particular categories of sustained disciplinary rule violations, as defined in Attachment A, will be considered in the Disciplinary History Assessment.

**Must Pass the Assessment in All Three (3) Categories:** A candidate must pass the assessment in all three (3) of the defined categories of sustained rule violations in order to pass the Disciplinary History Assessment. A candidate who fails in any one or more of the three categories will fail the Assessment. See Attachment A.

**Each Category Is Reviewed on the Standards Specified for that Category:** Each respective defined category of sustained rule violations will be reviewed on each of the standards specified for that category. A candidate must pass each and every standard specified for a category in order to pass that category. A candidate will either pass or fail each category. The specific standards for each assessment category are detailed in Attachment A.

**Deferral of Assessment Based on an Active Disciplinary Appeal:** In certain circumstances a candidate may, as a courtesy, be granted a deferral (temporary delay) in the administration of the Disciplinary History Assessment until such time as an active disciplinary appeal is resolved through a decision by the Hearing Officer and/or the Commission. If a deferral is granted, a candidate may proceed with the other examination components while awaiting a decision in his/her disciplinary appeal. The details regarding the eligibility for and granting of a deferral are provided in Attachment A.

**WRITTEN TEST:** The Written Test is scheduled for **June 2, 2008**, at the Webb Municipal Office Building, floor 4, rooms 4.G.2 and 4.F.6. **Registration will begin at 8:30 a.m. and will close promptly at 9:00 a.m.** Candidates who arrive later than 9:00 a.m. for registration shall not be allowed to take the test and shall be disqualified. Candidates will be allotted approximately four (4) hours to complete the test.

A Written Test will be administered to all registered candidates who pass the Disciplinary History Assessment or for whom the Disciplinary History Assessment has been deferred

**Two Sections:** The Written Test will be comprised of two sections; a Job Knowledge Section and a Situational Judgment Section. A maximum of eighteen (18) points may be earned for the Job Knowledge Section and a maximum of twelve (12) points may be earned for the Situational Judgment Section, for a maximum total of thirty (30) points for the Written Test. The Written Test addresses content areas from among those that have been determined, as a result of the job analysis, to be essential or important for the successful performance of the duties and responsibilities of a Sergeant. The Written Test is a closed book test that requires candidates to respond to items without the use of reference materials. (See the following Reading List & Job Knowledge Section and Situational Judgment Section.)

**Reading List & Job Knowledge Section:** The test items in the Job Knowledge Section of the Written Test are drawn directly from the materials and the textbook on the official *Reading List*. The *Reading List* will be distributed to all candidates upon registration, along with an informational memorandum. It includes instructions and costs for purchasing prepared copies of the *Reading List* materials and the textbook.

**Situational Judgment Section:** The test items in the Situational Judgment Section of the Written Test are based on realistic situations that occur in the job. These test items require the application of practical supervisory and management skills to specific job-related situations that have been determined as appropriate to the Lieutenant rank in the Denver Police Department. The items in the Situational Judgment Section are not drawn directly from the *Reading List* materials and textbook. However, the correct responses to each situation will be in conformance with the *Reading List* source materials.

**Scoring the Written Test:** After a committee of departmental subject matter experts has formally reviewed the test (Angoff Committee), the answer key will be finalized and the answer sheets will then be scored. On or about the afternoon of June 3, 2008, individual scores, by candidate I.D. number only, will be posted at the Commission and on the Commission's web site, and will be distributed to the Department. No individual scores will be given over the telephone.

**Minimum Passing Score:** The determination of the minimum passing score on the Written Test shall not be made by the Civil Service Commission until all candidates' answer sheets have been scored from the general administration of the Written Test on June 2, 2008. The minimum passing score shall be set in conformance with Commission Rule 15 § 8. The Commissioners are tentatively scheduled to set the passing score for the Written Test on June 6, 2008. The passing score will then be announced. It will be posted at the Commission, and on the Commission's web site, that afternoon. It will be distributed to the Department. The Commission will notify each candidate of his/her score and status, by mail, during the week of June 9, 2008. Only those candidates who attain a passing score on the Written Test may advance to the Assessment Center.

**ASSESSMENT CENTER:** The Assessment Center is tentatively scheduled to be administered starting July 7, 2008 and ending July 11, 2008, at the Webb Municipal Office Building. Eligible candidates will be notified at a later time of the exact location of the Assessment Center. The Assessment Center will be administered to all interested candidates who pass the Written Test, and who follow all examination regulations and instructions.

On or around June 12, 2008, a random drawing will be held at the Commission's office to determine the date(s) and time(s) each candidate will participate in the Assessment Center. A non-participating representative of the Police Protective Association, and a non-participating representative of the Denver Police Department Administration will be invited to witness the drawing. Candidates are also invited to witness the drawing, if they desire. Any candidates related by blood, marriage or adoption, who are participating in the Assessment Center, will be scheduled for the same Assessment Center session(s).

Assessment center exercises are designed to provide opportunities to evaluate candidates in areas of performance that are not easily assessed in written, multiple-choice tests. The Assessment Center will consist of job-related exercises designed to measure factors and dimensions from among those determined as a result of the job analysis to be essential or important to the successful performance of the duties and responsibilities of a Lieutenant.

General information about the types of exercises and the dimensions to be rated by the assessors will be provided at the Orientation Sessions. All Assessment Center exercises for each candidate will be completed in one day. A panel of external assessors holding the rank equivalent to Lieutenant or higher will evaluate and assign scores to each candidate's performance in a particular exercise.

Candidates may wear either their uniform or business attire to the Assessment Center. If a candidate elects to wear his/her uniform, all pins, medals, and other insignia, except the rank, badge and service stripes, must be removed. Candidates will not be permitted to bring any items into the

Assessment Center including previously prepared material. All necessary materials and supplies, such as paper, pens, reference materials, etc. will be provided.

The Commission will mail a feedback report to each candidate, evaluating the relative strengths and weaknesses of his/her performance in the Assessment Center. The feedback report is formulated and provided solely for the use of the candidate in identifying and evaluating opportunities for personal development. The report will not be considered nor used to formulate a candidate's official Assessment Center score, but instead is solely provided as a learning tool for the candidate. The date of the distribution of feedback reports is to be determined. It will be contingent upon completion of any and all delayed administrations of the examination due to the Military Leave status of otherwise eligible candidates.

All oral Assessment Center exercises will be videotaped. For the general administration of the Assessment Center the assessors will not see the videotapes. The videotapes will be made for the Commission's records, and to allow a candidate to review his/her performance after receiving the feedback report. Delayed individual administration of the Assessment Center, for accommodation of Military Leave, may involve the scoring of a candidate's videotaped exercises by the assessors.

**SENIORITY:** Each candidate who successfully completes all components of the examination shall receive one-tenth of one point for each full month of continuous service beyond twelve (12) full months of service in the Classified Service rank of Sergeant in the Denver Police Department, following the candidate's most recent appointment to the Classified Service, until the maximum of five (5) points for seniority has been reached. Seniority shall be computed through April 30, 2008, or through and including the last day of the month preceding the month in which the first examination component is administered. Length of service shall be reduced for unpaid leaves of absence (not including family medical leave or military leave) and suspensions without pay, in aggregate greater than 30 days. Credit for Seniority shall be computed consistent with Commission Rule 6 § 6. However, for any candidate who has been re-employed under the provisions of Rule 11 § 4, the computation of length of service shall include both the seniority which he/she had at separation, which was retained under Rule 11 § 4(B), and the seniority accrued following reemployment, in spite of such combined service being considered noncontinuous.

**TOTAL SCORE/ELIGIBLE REGISTER:** The total examination score shall be the sum of the points earned from the Written Test, the Assessment Center, and seniority. The Eligible Register shall contain in rank order, according to total score, only the names of candidates who have successfully completed all examination components. **The Civil Service Commission will approve the Eligible Register on or about July 18, 2008.** Once approved and notification to the Police Chief has occurred, copies of the Eligible Register will be available at the Commission office, will be distributed to various locations throughout the Department, and posted on the Commission's website.

The scoring procedures will be explained in further detail in the final notification letters that will be sent to all candidates. Each letter will contain the candidate's raw score on each component, as well as a description of the calculations used to obtain the candidate's total score. Ties shall be broken pursuant to Civil Service Commission Rule 7 § 4(B).

**DATES AND LOGISTICS:** All registered candidates for this examination will receive a confirmation notice by mail following the Disciplinary History Assessment. For candidates who pass, or are granted a deferral, in the Disciplinary History Assessment, this letter will confirm the exact date, time, and location of the Written Test.

Additionally, except as otherwise noted herein for candidates granted a deferral in the Disciplinary History Assessment, all candidates taking the Written Test will be notified of their scores by mail approximately one to two weeks after the passing score has been determined. Candidates who pass the Written Test will receive further information at that time regarding the Assessment Center. Registered candidates who do not receive a confirmation letter from the Commission prior to any examination component are responsible for notifying the Commission and confirming the logistical details.

**REASONABLE ACCOMMODATION:** A candidate must request and describe, in writing, any reasonable accommodation(s) (per the American with Disabilities Act) he/she will need in order to participate in any component of the examination process noted herein, by the registration deadline of April 4, 2008, at 5:00 p.m. A medical statement documenting the candidate's medical restrictions that support the requested reasonable accommodation for the examination process must also be submitted by the registration deadline. Each request will be reviewed on a case-by-case basis. The submission of a request does not necessarily mean that the request will be granted.

**REASONABLE ACCOMMODATION OF MILITARY LEAVE:** Examination procedures and/or regulations have been instituted to ensure compliance with the non-discrimination provisions of the Uniformed Services Employment and Re-employment Rights Act of 1994. Opportunity for late registration and for delayed participation in this promotional examination process will be provided on an individual basis for those who are eligible to register and participate in the general administration of the examination components as noted herein, but who are unable to do so based on Military Leave status. Additional examination procedures and/or regulations have been implemented to maintain the confidentiality and integrity of the examination process throughout any extended period of examination administration.

Any candidate who is absent from duty and unable to register due to Military Leave must register for the examination no later than 30 calendar days following the date of their return to duty. Any requests for other specific accommodations are to be made in writing. Candidates can obtain further information about seeking and receiving reasonable accommodation based on Military Leave status by contacting Jeff Wilson, as provided below.

**ADDITIONAL INFORMATION:** Any material misrepresentation of fact at the time of registration for this examination or during any examination component shall be grounds for disqualification of a candidate. Any violation by a candidate of the examination regulations or instructions shall be grounds for disqualification.

The examination shall be conducted in conformance with Commission Rules 6 and 15.

Any protest or challenge to the content of this official announcement and the examination plan as set forth herein must be presented by a candidate, in writing, to the attention of the Executive Director of the Civil Service Commission. It must be received at the Civil Service Commission Office, Webb Municipal Office Building, 201 West Colfax Avenue, 7<sup>th</sup> floor, Department 1208, Denver, Colorado 80202-5332, no later than 5:00 p.m. on April 4, 2008.

CIVIL SERVICE COMMISSION

A handwritten signature in black ink, reading "Earl E. Peterson". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

Earl E. Peterson  
Executive Director

## ATTACHMENT A

### ANNOUNCEMENT OF EXAMINATION LIEUTENANT - DENVER POLICE DEPARTMENT March 3, 2008

**DISCIPLINARY HISTORY ASSESSMENT:** Candidates **will not appear in person** for this component, which provides for an evaluation of a candidate's ascertained merit. See pages 2 & 3 of the Examination Announcement.

#### Assessment Categories – Definitions and Standards for Review

##### Tier 1 Rule Violations

1) **Definition – Tier 1 Rule Violation:**

A Tier 1 Rule Violation is defined as: Any sustained disciplinary rule violation listed on the candidate's I.A.B. printout of Sustained Cases which: (1) has a **penalty of one or more days suspended** (not days fined); and (2) has a **penalty date during the period of April 5, 2007 through April 4, 2008, inclusive.**

[That is, any sustained rule violation with a penalty of one or more days suspended (not days fined) having a penalty date during the **one (1) year prior** to the close of the examination registration period.]

2) **Standard for Review - No Tier 1 Rule Violations:**

A candidate with **zero (0) Tier 1 Rule Violations** will *PASS* this assessment category. A candidate with **one (1) or more Tier 1 Rule Violations** will *FAIL* this assessment category.

[To pass, a candidate cannot have any days suspended (may have fined days) within the one (1) year prior to the close of the examination registration period.]

##### Tier 2 Rule Violations

1) **Definition – Tier 2 Rule Violation:**

A Tier 2 Rule Violation is defined as: Any sustained disciplinary rule violation listed on the candidate's I.A.B. printout of Sustained Cases which: (1) has a **penalty of one or more days suspended or one or more days fined;** and (2) has a **penalty date during the period of April 5, 2005 through April 4, 2008, inclusive.**

[Any sustained rule violation with a penalty of one or more days fined, or one or more days suspended, having a penalty date during the **three (3) years prior** to the close of the examination registration period.]

2) **Standards for Review of Tier 2 Rule Violations:**

A. **Combined Total Number of Days Fined and Days Suspended:**

A candidate with a combined total number of **days fined and days suspended**, for all Tier 2 Rule Violations, which numbers **four (4) or less will PASS** this standard in the

Assessment. A candidate with a combined total number of days fined and days suspended, for all Tier 2 Rule Violations, which numbers **five (5) or more will FAIL** this standard in the Assessment.

[To pass, a candidate cannot have sustained rule violations with combined penalties totaling more than 4 days fined and/or suspended within the three (3) years prior to the close of the examination registration period.]

B. **Total Number of Tier 2 Rule Violations**: (Number of Rule Violations – Not Days)

A candidate with a total number of **Tier 2 Rule Violations** which numbers **three (3) or less will PASS** this standard in the Assessment. A candidate with a total number of Tier 2 Rule Violations which numbers **four (4) or more will FAIL** this standard in the Assessment.

[To pass, a candidate cannot have more than three (3) sustained rule violations (which had a penalty of one or more days fined or suspended) with a penalty date within the three (3) years prior to the close of the examination registration period.]

### **Automatic Disqualifier Rule Violations**

1) **Definition – Automatic Disqualifier Rule:**

An **Automatic Disqualifier Rule Violation** is defined as: Any sustained disciplinary rule violation listed on the candidate's I.A.B. printout of Sustained Cases which: (1) is for a **Rule and Regulation listed** herein below **under Automatic Disqualifier Rule**; (2) has a **penalty of one or more days suspended or one or more days fined**; and (3) has a **penalty date during the period of April 5, 2003, through April 4, 2008, inclusive**.

[Any sustained violation of a rule listed under Automatic Disqualifier Rule, with a penalty of one or more days fined or days suspended, having a penalty date during the **five (5) years** prior to the close of the examination registration period.]

2) **Standard for Review - No Automatic Disqualifier Rule Violations**

A candidate who has **zero (0) Automatic Disqualifier Rule Violations will PASS** this standard in the Assessment. A candidate who has any **one (1) or more Automatic Disqualifier Rule Violations will FAIL** this standard of the Assessment.

[To pass, a candidate cannot have any sustained violations of the specified departmental Rules and Regulations, with a penalty of one or more days fined or suspended, within the five (5) years prior to the close of the examination registration period.]

3) **List of Automatic Disqualifier Rules:**

The specific Rules and Regulations applicable to this category are the following:

## CONDUCT

- a. RR-102, OMS 8.08 Duties and Responsibilities of Supervisory Officers  
– Make Impartial Written Report
- b. RR-102, OMS 8.24 Duties and Responsibilities of Supervisory Officers  
– Treatment of Prisoners
- c. RR-102, OMS 8.25 Duties and Responsibilities of Supervisory Officers  
– Prisoner / Medical Attention
- d. RR-102, OMS 8.26 Duties and Responsibilities of Supervisory Officers  
– Investigate All Complaints
- e. RR-103 Aid Another to Violate Rule
- f. RR-109 Drinking on Duty
- g. RR-111 Narcotics
- h. RR-112 Departing from the Truth
- i. \*RR-115 Law Violations <sup>1</sup>
- j. RR-116 Conspire to Commit Law Violation
- k. RR-120 Appropriating Property
- l. RR-123 Malicious Threats or Assault
- m. RR-131 False Report
- n. RR-138 Racial or Ethnic Intimidation
- o. RR-139 Sexual Harassment

## REWARDS AND GRATUITIES

- p. RR-202 Soliciting or Accepting a Bribe

## USE OF FORCE AND ARRESTS

- q. RR-308 Aiding an Escapee
- r. RR-311 Compromising Criminal Cases

## REPORTS AND COMMUNICATIONS

- s. RR-611 Giving Assistance to Criminals

## \*POLITICAL ACTIVITIES <sup>2</sup>

- t. RR-704 Soliciting for Promotion, etc.
- u. RR-705 Soliciting for Promotion, etc. of Another
- v. RR-706 Soliciting for Appointment

\* RR-115 [See footnote (1) below.]

\* RR-704, 705 & 706 [See footnote (2) below]

\* If a Candidate asserts that any sustained violation of RR-115, RR-704, 705 or 706, as listed on his/her I.A.B. printout of Sustained Cases, is for a violation which is not included among the automatic disqualifiers, it is the responsibility of the officer to provide supporting documentation, which clearly establishes the exception, to the Civil Service Commission no later than 5:00 p.m., Friday, April 4, 2008.

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1. Law Violations: For the purpose of an Automatic Disqualifier in this examination, any sustained violation of RR-115 shall be limited to a violation based on an offense for which a conviction for the offense would rise to the level of a felony or a misdemeanor under Colorado statutes; except that, with respect to a misdemeanor offense for any vehicle or traffic related matter, the only misdemeanor offenses that shall be applicable are the following: an offense for which a conviction would be individually assessed eight (8) or more points under CRS 42-2-127(5); driving while license is under suspension, revocation, or in violation of a restriction; violation of vehicle registration provisions; and violation of compulsory insurance provisions.

2. Political Activities: For the purpose of an Automatic Disqualifier in this examination, sustained violations of the rules and regulations noted in this subsection shall be limited to circumstances involving solicitation of petitions either within or without the department, or promoting any political influence to be exerted from outside the department. Such activities are considered to be inconsistent with fostering promotion and appointment based on merit system principles.

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### **Deferral of the Disciplinary History Assessment Based on an Active Disciplinary Appeal**

- 1) **Any candidate who believes he/she would otherwise pass the Disciplinary History Assessment, but for consideration of a departmental disciplinary action for which an appeal is currently active before a Hearing Officer or the Commissioners, may request that his/her Disciplinary History Assessment be deferred until the Hearing Officer's and/or the Commission's final decision has been rendered on the disciplinary appeal.**

- 2) A deferral may be requested only with respect to a disciplinary appeal which has been filed with the Commission on or before the closing date of registration (April 4, 2008), and for which a decision on the merits, or a final closing order, has not yet been issued at the Hearing Officer level and/or at the Commission level, as applicable.
- 3) A requested deferral which is granted based on a disciplinary appeal before a Hearing Officer shall be automatically continued should either party to the appeal timely file an appeal from the Hearing Officer's decision to the Commission.
- 4) A deferral may not be requested for a disciplinary appeal pending from a Hearing Officer's decision to the district court, or for an appeal seeking judicial review of the Commission's final decision in a disciplinary appeal.
- 5) A candidate shall be granted a requested deferral only if they are able to pass the Disciplinary History Assessment standards absent any consideration of the sustained discipline which is the subject of the respective disciplinary appeal(s).
- 6) A candidate who is denied a requested deferral will have his/her Disciplinary History Assessment completed as otherwise provided herein.
- 7) The Executive Director will provide written notification to a candidate indicating whether the requested deferral has been granted. Notification will occur after the scheduled administration of the Disciplinary History Assessment. The decision of the Executive Director shall be deemed a final action by the Commission. No appeal will be entertained.
- 8) ***Any Request For Deferral Of The Disciplinary History Assessment must be received, in writing, at the office of the Commission, no later than 5:00 p.m. April 4, 2008*** (close of registration).
- 9) ***Any Request For Deferral Of The Disciplinary History Assessment*** must include the following:
  - a) Candidate's name, address, phone number(s), and social security number;
  - b) Case number and caption of the subject disciplinary appeal(s), if assigned;
  - c) Copy of the Departmental Order Of Disciplinary Action that is at issue in the disciplinary appeal(s) in question;
  - d) A statement requesting that the candidate's Disciplinary History Assessment be deferred until the noted disciplinary appeal is resolved at the Hearing Officer and/or Commissioner level, as may be applicable;
  - e) A statement that the candidate agrees and understands that there is no right to a deferral but rather it is a courtesy granted by the Commission;
  - f) A statement affirming that, to the best of the candidate's knowledge, information, and belief, the candidate would otherwise pass all of the standards of the Disciplinary History Assessment but for consideration of the sustained discipline which is the subject of the pending appeal(s);
  - g) A statement that the candidate agrees and understands that his/her examination for the rank of Police Lieutenant shall not be deemed completed during the period of time that the candidate's Disciplinary History Assessment is being deferred;

- h) A statement that the candidate agrees, understands and knowingly and voluntarily waives any claim regarding the facts that: (1) his/her score(s) for the Written Test and the Assessment Center components of the examination will not be released during the period of time that the candidate's Disciplinary History Assessment is deferred; and (2) said scores for these components will not be released and will be deemed null and void should the candidate ultimately fail the Disciplinary History Assessment;
  - i) A statement that the candidate agrees, understands and knowingly and voluntarily waives any claim regarding the facts that: (1) only if and when the candidate ultimately passes the Disciplinary History Assessment, and has successfully completed all other components of the examination, will his/her final score be computed and the results then be brought before the Commission for approval for the candidate's placement onto the Eligible Register at his/her appropriate rank order; and (2) the candidate shall not be eligible to be certified based on rank order to the Manager of Safety, for consideration for promotional appointment, until such time that he/she has been approved for placement onto the Eligible Register; and (3) based on successful completion of all components of this examination, the candidate may only become eligible for placement onto the Eligible Register that is established as a result of this examination.
  - j) The notarized signature of the candidate and the date of signature.
- 10) At such time as the Disciplinary History Assessment is administered for a candidate who has been granted a deferral, the Assessment shall reflect the final determination and orders of the Hearing Officer or the Commission, as applicable, with respect to the disciplinary violations and penalties in questions. For purposes of the Assessment only, the respective violation(s) and/or penalties on the I.A.B. list of Sustained Cases will, as necessary, be sustained, modified, or vacated to reflect the respective final determination in the disciplinary appeal.

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