ATTACHMENT A
ANNOUNCEMENT OF EXAMINATION
SERGEANT - DENVER POLICE DEPARTMENT
May 4, 2015

DISCIPLINARY HISTORY ASSESSMENT: Candidates will not appear in person for this component, which provides for a merit based evaluation of a candidate’s disciplinary history. See page 4 of the Announcement. For all Assessment categories, “penalty date” shall be defined as the date the Manager of Safety signed the respective Departmental Order of Disciplinary Action.

Assessment Categories – Definitions and Standards for Review

Tier 1 Rule Violations

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

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 via Resume Report which: (1) has a penalty of one or more days suspended (not days fined); and (2) has a penalty date during the period of June 6, 2014 through June 5, 2015, 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.

Tier 2 Rule Violations

To PASS, a candidate cannot have sustained rule violations with combined penalties totaling more than seven (7) days fined and/or suspended during the three (3) years prior to the close of the examination registration period, AND

To PASS, a candidate cannot have more than five (5) sustained rule violations (which had a penalty of one or more days fined or suspended) with a penalty date during the three (3) years prior to the close of the examination registration period.

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 via Resume Report 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 June 6, 2012, through June 5, 2015, 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/or days suspended, for all Tier 2 Rule Violations, which numbers seven (7) or less will PASS this standard in the Assessment. A candidate with a combined total number of days fined and/or days suspended, for all Tier 2 Rule Violations, which numbers eight (8) or more will FAIL this standard in the Assessment.

   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 five (5) or less will PASS this standard in the Assessment. A candidate with a total number of Tier 2 Rule Violations which numbers six (6) or more will FAIL this standard in the Assessment.

Automatic Disqualifier Rule Violations

To PASS, a candidate cannot have any sustained violation of the specified departmental Rules and Regulations, with a penalty of one or more days fined or suspended, within the three (3) years prior to the close of the examination registration period; and cannot have any sustained rule violation resulting in any demotion in a Classified Service rank or grade during the three (3) years prior to the close of the examination registration period.

1) Definition – Automatic Disqualifier Rule:

   An Automatic Disqualifier Rule Violation is defined as follows:

   A) Any sustained disciplinary rule violation listed on the candidate’s I.A.B. printout via Resume Report 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 June 6, 2012, through June 5, 2015, inclusive, and/or;

   B) Any sustained disciplinary rule violation listed on the candidate’s I.A.B. printout via Resume Report of Sustained Cases which: (1) has a penalty of a demotion in a Classified Service rank and/or grade; and (2) has a penalty date during the period of June 6, 2012, through June 5, 2015, inclusive. Note: This does not include a demotion in any “appointed” rank such as Detective, Technician, or Corporal.
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.

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

The specific Rules and Regulations applicable to this category include revisions to department rules (see date connotations) and are the following:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
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<tbody>
<tr>
<td>a)</td>
<td>ANY RULE VIOLATION resulting in a DEMOTION in a Classified Service Rank or Grade.</td>
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<td>b)</td>
<td>RR-106.2 Sexual Misconduct</td>
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<td>c)</td>
<td>RR-109.3 Drinking on Duty</td>
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<td>d)</td>
<td>RR-109.4 Under the Influence</td>
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<td>e)</td>
<td>RR-111 Controlled Substances</td>
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<td>f)</td>
<td>RR-112.2 Commission of a Deceptive Act</td>
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<td>g)</td>
<td>*RR-115.1 Conduct Prohibited by Law^1</td>
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<td>h)</td>
<td>*RR-115.2 Aggravated Conduct Prohibited by Law^1</td>
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<tr>
<td>i)</td>
<td>RR-116 Conspiracy to Commit Conduct Prohibited by Law or Aggravated Conduct Prohibited by Law</td>
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<tr>
<td>j)</td>
<td>RR-120 Appropriating Property</td>
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<td>k)</td>
<td>RR-123 Assault of Fellow Officer</td>
</tr>
<tr>
<td>l)</td>
<td>RR-130.2 Failure to Aid or Protect Fellow Officers – Intentional or Reckless</td>
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<td>m)</td>
<td>RR-138 Discrimination, Harassment, and Retaliation</td>
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<td>n)</td>
<td>RR-202 Soliciting or Accepting a Bribe</td>
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<td>o)</td>
<td>RR-306 Inappropriate Force</td>
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<td>p)</td>
<td>RR-308 Aiding an Escapee</td>
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<td>q)</td>
<td>RR-311.1 Compromising Criminal Cases</td>
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<td>r)</td>
<td>RR-311.2 Interference with Prosecution</td>
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<td>s)</td>
<td>RR-312.2 Interfering with Internal Investigation/Questioning</td>
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<td>t)</td>
<td>RR-312.3 Failure to Provide Statement</td>
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<td>u)</td>
<td>RR-704 Soliciting for Promotion, Appointment</td>
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1. **Law Violations:** For the purpose of an Automatic Disqualifier in this examination, any sustained violation of RR-115.1, or RR-115.2 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.
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 (June 5, 2015), 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. June 5, 2015 (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 Police rank in question 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/or the Assessment Center components of the examination will not be released
during the period of time that the candidate's Disciplinary History Assessment is
defferred; 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 Executive Director 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 via Resume Report of Sustained Cases will, as necessary,
be sustained, modified, or vacated to reflect the respective final determination in the
disciplinary appeal.