

General Order

Houston Police Department



ISSUE DATE:

July 22, 2014

NO.

300-02

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 300-02, dated May 10, 2012

SUBJECT: TRANSFER OF CLASSIFIED EMPLOYEES

POLICY

Transfers of classified employees within the department shall be conducted according to the policies and procedures outlined in this General Order and the standard operating procedures for the department's Employee Services Division.

The department shall transfer classified employees to provide the best possible police services to the citizens of the city of Houston and to provide officers with opportunities for career development and professional experience enhancement.

The Chief of Police may approve any exception to this transfer policy. This General Order applies to classified employees only.

DEFINITIONS

Bona Fide Occupational Qualification. A qualification reasonably necessary for the normal performance of duties for a particular job assignment. For department purposes, a *bona fide occupational qualification* does not include race, national origin, religion, age, or sex.

Established List. A list of officers who are eligible applicants classified and grouped as Most Ready or Ready for a specific Method B transfer. A division creates an *established list* from among and after screening or assessing the applicants on the *transfer application list* provided by Employee Services Division. An *established list* is valid for a set period of time.

Intra-Divisional Reassignment. A move from one unit or squad to another unit or squad within the same division.

Involuntary Transfer. A transfer in which an officer is moved from any assignment within the department at any time upon written approval by the Chief of Police or the executive assistant chief or assistant chief over the division from which the officer is transferring. No minimum assignment period shall apply unless it is authorized by the executive assistant chief over the division to which the officer is transferred.

Minimum Assignment Period. The minimum period of time an officer must remain in an assignment. The minimum assignment period for a Method A transfer is one year. A two-year minimum assignment period is required for Method B transfers. Other transfers may require a minimum assignment period. Exceptions to a minimum assignment period may be approved by the Chief of Police.

Officer. For the purposes of this General Order (excluding section 17), a classified employee holding the rank of police officer, senior police officer, or sergeant.

Reckoning Period. The period of time that previous, same or similar, or combinations of misconduct may be considered for purposes of recommending proper discipline. The reckoning period begins on the day the department served the employee with discipline for the previous misconduct.

Rotation Transfer. A transfer of an officer to a rotation assignment, which is a mandatory assignment for a specified period of time (usually one year). The Chief of Police specifies which divisions are considered rotation assignments for both officer and sergeant ranks. Rotation assignments may be considered voluntary or involuntary transfers.

Transfer. A reassignment of an employee from one division or command to another division or command.

Transfer Application List. A list of applicants who have applied for transfer to a specific division or command. Employee Services Division creates this list and forwards it to the concerned division or command for consideration.

Voluntary Transfer. A transfer for which an officer has voluntarily applied and been accepted. Voluntary transfers are either Method A or Method B and have a minimum assignment period as defined above.

1 EMPLOYEE SERVICES DIVISION

The Police Department's Employee Services Division (ESD) shall handle all classified job postings for openings within the department. ESD shall also maintain the classified job posting form on the department's Intranet Portal.

All classified job postings shall be issued by the division commander of ESD after review and approval by the requesting division's chain of command.

Divisions shall send their requests with the completed classified job posting form to the division commander of ESD via the requesting division's chain of command through the executive assistant chief level.

ESD shall maintain the department's master file containing all transfer applications and shall act as the control agency for the Chief of Police in overseeing transfers and transfer applications throughout the department.

2 VACANCY ANNOUNCEMENTS

Officer vacancies for which there are no eligible applicants may be announced in a department classified job posting. Classified

job postings shall contain information and requirements specific to the assignment or job to be performed. Classified job postings shall not require an applicant to attach a photograph to the application. However, a photograph may be requested or taken at the time of an interview.

All issued classified job postings shall be posted by each division immediately upon receipt and made available to all officers. Classified job postings shall also be accessible via the department's Intranet Portal.

Once a classified job posting has been issued, selection criteria shall not be changed without a second posting to allow all prospective applicants to respond to the new information.

Classified Job Posting Requirements

Classified job postings for Method A transfers (see section 12, *Voluntary Transfers*) shall inform all officers there are no names on a division's Method A application list.

Classified job postings for Method B transfers (see section 12) shall include, but shall not be limited to, the following information:

- a. Rank in which the vacancy occurs.
- b. Division and unit in which the vacancy occurs.
- c. Description of the duties to be performed and the working title of the position, if any.
- d. Duty hours and days off.
- e. Notice that shifts may be adjusted based on operational requirements.
- f. Minimum skills, experience, or education required (must be applicable to the position).
- g. Method of selection.

- h. Length of time the applicants to the classified job posting shall be considered for future vacancies.
- i. The period of time during which applications shall be accepted (minimum: seven *calendar* days from the date of the posting).
- j. Notice that recommendations from current and past supervisors shall be sought.
- k. Notice that past performance evaluations shall be considered.
- l. Notice that an internal affairs complaint history shall be reviewed and considered.
- m. The name and telephone number of a supervisor whom applicants may contact to obtain additional information about the vacant position.

Classified job postings for Method B transfers may also include information about additional skills, experience, or education that would benefit an applicant for consideration for transfer.

3 TRANSFER DISQUALIFICATION

If a transfer applicant has a sustained complaint for violation of federal or state law or local ordinance, or has any other serious sustained complaint, the applicant shall be disqualified from transferring to any position in Investigative Operations, Professional Standards Command, Criminal Intelligence Division, Recruiting Division, or Alternative Dispute Resolution Unit until the department's prescribed reckoning period and any other eligibility period has been satisfied.

Officers with a sustained untruthfulness complaint (Class I or II) are not eligible to apply for or transfer to any position in Investigative Operations, Professional Standards Command, Criminal Intelligence Division,

Recruiting Division, or Alternative Dispute Resolution Unit for a period of seven years from the date of discipline for Category D or E violations and for five years from the date of discipline for Category A, B, or C violations.

Any sustained complaint against an officer may exclude the employee from remaining in or transferring to certain assignments as determined by the concerned assistant chief.

4 TRANSFER APPLICATIONS

To apply for a transfer, officers shall complete an *Application for Transfer* (GF-0032) form in person at ESD. When completing the form, officers should be aware that by requesting a specific unit or shift assignment, they limit their opportunities for transfer. For example, officers applying to Mounted Patrol shall be considered only for a vacancy in Mounted Patrol, not for any other vacant positions in Special Operations Division, and officers who specify day shift on their applications shall not be considered for any other shift.

All of the following requirements apply to transfer applications:

- a. No officer shall have more than three active applications on file at any time.
- b. An officer may apply for a transfer before completing a minimum assignment period. However, the officer shall not be eligible to transfer until completing the minimum assignment period.
- c. Applications shall be accepted for a Method A (non-interview process) transfer to a patrol division whether or not there is a current open position. This includes patrol functions within the Special Operations Division.
- d. Applications for transfers to investigative divisions or for Method B (interview

process) transfers including the Method B investigative selection process shall be accepted only in response to a current and active classified job posting announcing a vacancy or an anticipated vacancy.

- e. All divisions shall maintain applications of those who meet the minimum eligibility requirements for at least six months from the date received. All applications shall remain archived indefinitely in ESD.
- f. Officers who no longer want a previously submitted transfer application to remain on the active *transfer application list* shall withdraw their application through correspondence to the division commander of ESD or by personally appearing at ESD and withdrawing the transfer application.
- g. Applicants declining a transfer offer because of a temporary situation and wishing to retain their application and position on the *transfer application list* or *established list* may write a request and explanation regarding the situation to the division commander of ESD. The explanation must be received by ESD within seven *calendar* days after the transfer decline. The division commander of ESD in consultation with the concerned division commander shall review the explanation and notify the requesting applicant in writing of the decision.

If the applicant declines a transfer offer from the same *transfer application list* or *established list* for a second time, the applicant shall be removed from that list unless an exception is approved by the Chief of Police.
- h. Each division is responsible for keeping their *transfer application list* current and maintaining it by removing personnel as outlined above and by removing applicants that are considered ineligible or

Not Ready in response to a Method B Job Posting.

- i. When an applicant accepts a voluntary transfer or promotion, ESD shall cancel all active transfer applications for that officer.

5 PERSONNEL CHANGES FORM

A *Personnel Changes* form shall be completed for all transfers.

The receiving division commander shall initiate the form so assignment information such as shift and days off may be assigned. The form shall bear the signature of the affected officer and the date signed. The effective date of the transfer shall be left blank. The receiving division commander shall then forward the *Personnel Changes* form to the transferring officer's division commander for signature and for the signatures of the assistant chiefs over the sending and receiving divisions.

The completed form shall then be sent to ESD, which shall verify all policy and procedural requirements have been met. Forms not bearing the required signatures or other information shall be returned to the receiving division. When the transfer is approved by the executive assistant chiefs or their designee at the Personnel Allocation Committee meeting, ESD shall enter the date of transfer on the *Personnel Changes* form and notify the transferring officer and the sending and receiving divisions.

6 PERSONNEL ALLOCATION COMMITTEE

The Personnel Allocation Committee consists of the department's four executive assistant chiefs. This committee is authorized by the Chief of Police to review and approve the orderly transfer of classified employees within the department. The committee accomplishes this task by considering the

authorized, actual, and proportionate strength of both the transferring and receiving divisions as it relates to accomplishing department or division objectives.

Except as directed by the Chief of Police, or as described in another section of this General Order, no transfer of a classified employee is effective until approved by the Personnel Allocation Committee.

7 PROBATIONARY POLICE OFFICERS AND NEWLY PROMOTED POLICE OFFICERS AND SERGEANTS

Unless otherwise approved by the Chief of Police, probationary police officers and newly promoted police officers and sergeants shall be assigned to a vacancy in a uniformed division for which no applications have been received or as determined by ESD.

These officers and sergeants shall remain for at least one year in their first regular assigned division. This does not apply to employees transferred out on a rotation assignment.

Unless otherwise approved by the Chief of Police, newly promoted sergeants shall serve at least one year in a uniformed division and may also serve at least one year in a rotation assignment (see section 14, *Rotation Transfers*). Both assignments shall be determined by ESD. The assignments must be completed before the end of the third year as a sergeant.

Newly promoted sergeants shall not be assigned to the division from which they promoted for one year without a written request from their chain of command and approval by the Chief of Police.

8 LIEUTENANTS

The rank of lieutenant is mid management, and transfers shall be made at the discre-

tion of the Personnel Allocation Committee, based on the committee's assessment of the overall needs of the department. Unless waived by the Chief of Police, lieutenant vacancies shall be announced via job posting so interested persons can make their interest known to the appropriate division commander as outlined in the job posting.

When a division commander has a lieutenant vacancy, that division commander shall interview all lieutenants who have appropriately responded to the job posting.

Unless otherwise approved by the Chief of Police, newly promoted lieutenants shall serve at least one year in a uniformed division as determined by ESD. The uniformed assignment must be completed before the end of the third year as a lieutenant.

9 COMMANDERS

The rank of captain or above is upper management and transfers are made at the discretion of the Chief of Police based on the Chief's assessment of the overall needs of the department.

10 INTRA-DIVISIONAL REASSIGNMENTS

Reassignment of personnel within a division may be made as limited below at the discretion of the division commander in order to improve the division's efficiency or productivity, or for the benefit of the officer. Intra-divisional reassignment is not considered an involuntary transfer.

Division commanders may fill a vacancy with an eligible officer from within the division giving preference to seniority whenever possible.

Intra-divisional reassignments are allowed from an investigative position to another investigative position and from an investigative position to an administrative position.

However, intra-divisional reassignments for police officers or senior police officers are not allowed from an administrative position to an investigative position unless one or more of the following situations applies.

The officer:

- a. Has held a regular assignment in the division continuously since January 7, 2002.
- b. Entered the division via the investigative selection process prior to the administrative assignment.
- c. Is selected from the *established list* for the position after competing with other applicants in the appropriate investigative selection process (see section 17, *Investigative Selection Process*).

If a division commander anticipates filling a position from within the division, a notice of vacancy shall be prominently posted in an area accessible to all officers in the division for a minimum of seven *calendar* days. This method of filling a vacancy is an intra-divisional reassignment and not a transfer.

If no officer is selected from within the division, an applicant from outside the division may be used to fill the vacancy. The appropriate job posting and transfer process shall be utilized.

11 TEMPORARY ASSIGNMENTS

Most temporary assignments are those lasting 30 *calendar* days or less. Only the Chief of Police or an executive assistant chief may approve a temporary assignment lasting 31 through 90 *calendar* days. Extensions beyond 90 *calendar* days may be approved only by the Chief of Police.

A *Personnel Changes* form shall be completed for temporary assignments. The signed form must note that the assignment

is temporary and be submitted to ESD. Appropriate personnel in the temporary assignment division shall immediately update the officer's schedule as needed in the City's Kronos® Time and Attendance System.

While on temporary assignment, an officer's regular assignment determines the appropriate assignment pays, including patrol incentive pay and shift and weekend pay.

When an employee is on temporary assignment, all personal leave time and other absences shall be entered into Kronos by appropriate personnel from the division to which the officer is temporarily assigned. See General Order 300-07, *Overtime Compensation*, for guidelines regarding the entry of overtime while on temporary assignment. See General Order 300-10, *Transitional Duty Assignment*, for guidelines regarding officers on transitional duty.

When employees return to their regular assigned division, another *Personnel Changes* form shall be submitted to ESD. Appropriate personnel in the regular assigned division shall immediately update the officer's schedule as needed in Kronos. The officer shall be allowed to return to the officer's regular days off and shift held prior to the temporary assignment.

12 VOLUNTARY TRANSFERS

This section outlines the two common types of voluntary transfers and lists requirements for proactive investigative assignments.

Method A Transfer

A Method A transfer occurs when a division fills a vacancy from a list of officers who have applied for transfer to the division by submitting their names on a first-come, first-served basis. Applications received in ESD on the same day are ordered by seniority. ESD shall make a *transfer application list* of officers who have applied for transfer to a

particular division and forward a copy of the list to the concerned division. An updated *transfer application list* shall be sent to the concerned division when new applications are received by ESD. Applications shall remain active indefinitely in ESD or until withdrawn as noted in section 4, *Transfer Applications*, of this General Order.

Applicants shall be considered in the order their names appear on the *transfer application list*. The division commander having a vacancy shall fill the vacancy with the first eligible officer appearing on the Method A *transfer application list*.

In the event there are no applicants for an opening in a particular division, a classified job posting may be issued to notify all employees of the vacancy. After the posting period closes, ESD shall prepare a *transfer application list* that identifies those officers who have applied for transfer to the vacant assignment. Applicants on this list shall be ranked by seniority rather than on a first-come, first-served basis.

Conflicts arising from the order employees are placed on a *transfer application list* shall be settled according to General Order 300-03, *Seniority*. Questions about placement on the *transfer application list* may be addressed in correspondence to the division commander of ESD. ESD's division commander shall review the list in question and make changes or corrections if justified.

The minimum assignment period for a Method A transfer is one year.

Method B Transfer

A Method B transfer occurs when a division fills a vacancy requiring specific criteria normally announced in a Method B classified job posting.

To fill a vacancy through a Method B transfer, division commanders shall submit their request, justification for using this method,

and a completed classified job posting form to the division commander of ESD via the requesting division's chain of command through the executive assistant chief level. After review and approval by the requesting division's chain of command, ESD shall issue a classified job posting notifying all employees of the vacant position.

ESD shall make a *transfer application list* of officers who have applied for a transfer to the vacant assignment and forward a copy of the list to the concerned division.

The division commander with the vacancy shall conduct a screening process that may include a review of any of the following for each applicant: résumé, interviews, oral board reviews, writing samples, tests on related issues, and physical and psychological tests. The division commander may designate personnel already assigned to the division to staff the review board or screening panel. Division commanders shall make certain that members of the review board or screening panel are selected to ensure diversity and objectivity.

Based on the screening process, the concerned division shall produce a list that classifies and groups eligible applicants as Most Ready or Ready (*established list*) and submit the list to the division commander of ESD to establish the official beginning and ending dates. The division shall also include with the correspondence to ESD a separate list of ineligible and Not Ready applicants.

Applicants on an *established list* remain in consideration for positions in the concerned division until the pool of eligible applicants on the list is exhausted but for no longer than the length of time specified on the related classified job posting up to one *calendar* year from the date the list is established by ESD. Each division is responsible for maintaining the accuracy of current eligible applicant names on its *established lists* and monitoring time restraints. Once an *established list* from a Method B job posting

expires, the division is responsible for removing the remaining names on the list that did not transfer during that time frame.

Division commanders shall ensure all applicants interviewed but not in consideration for transfer are notified in writing. Within the written communication there shall be a brief description of why the applicant shall not be considered for transfer. The written communication shall be sent within ten *calendar* days following the beginning date on the concerned *established list*.

An unsuccessful applicant for a Method B vacancy may meet with the concerned division commander, assistant chief, or executive assistant chief. The meeting would be to review the applicant's performance during the interview process and to review documentation used to assess the applicant's performance.

Executive assistant chiefs and assistant chiefs shall conduct random audits of the selection process to ensure compliance with department policy. Additionally, executive assistant chiefs and assistant chiefs shall review the selection panel and interview material before a selection process begins.

A transfer shall not be approved if the effective date of the transfer would occur prior to the beginning date or after the ending date on the concerned *established list*.

The minimum assignment period for a Method B transfer is two years.

For additional information regarding Method B transfers requiring the investigative selection process, see section 17, *Investigative Selection Process*, of this General Order.

Criteria for Continued Assignment in Method B Assignments

Officers assigned to divisions or units through a Method B transfer shall meet cer-

tain performance criteria on a continuous basis. Prior to selection, officers shall be apprised of the criteria for continued assignment to the division or unit. Performance shall be continuously assessed.

General criteria used in evaluating an officer's suitability to remain in a Method B transfer assignment shall include, but not be limited to, the following:

- a. Achievement of required productivity standards.
- b. Quality of the officer's work.
- c. Officer's overall suitability for the assignment.
- d. Job performance review.
- e. Well-being of the officer.
- f. Best interest of the department.

If the division commander determines that an officer is not meeting the established criteria for the assignment, the officer may be offered an intra-divisional reassignment or the matter shall be brought to the attention of the appropriate assistant chief. If the assistant chief concurs the officer is no longer suited for the division, the officer shall be transferred by any approved transfer method. Placement may be at the discretion of the concerned assistant chiefs.

Method B Retention Policy for Proactive Investigators

The above listed retention criteria for Method B assignments along with the additional policies outlined in this subsection shall be utilized to evaluate employees for continued assignment in Method B proactive investigative positions as well as to facilitate the reassignment of employees as necessary. This policy should not be interpreted as a mandatory rotation policy based on an arbitrary number of years in an assignment, but

as a more effective way for the Chief of Police to balance the needs of the department while keeping in mind the welfare of employees faced with sensitive, high stress proactive investigative assignments.

The following divisions that utilize proactive investigators are subject to this retention policy:

- Auto Theft
- Criminal Intelligence
- Gang
- Major Offenders
- Narcotics
- Vice

For divisions that maintain both reactive and proactive investigators, this policy shall apply to only officers who conduct proactive investigations including, but not limited to, undercover operations. For the purpose of this policy, if an officer conducts both reactive and proactive investigations, the officer shall be considered a proactive investigator and subject to the guidelines of this policy.

Division commanders shall make the determination as to which employees under their command are considered to be proactive investigators and therefore subject to the guidelines of this policy.

Administrative personnel in the above listed divisions are outside the scope of this policy.

Supervisors should conduct regular supervisory meetings and/or debriefings with proactive investigators in order to monitor and discuss issues as they arise. At the conclusion of every prolonged proactive investigative assignment, supervisors shall conduct a debriefing session with the involved proactive investigators.

After three years in a proactive investigative assignment, an officer's supervisor:

- a. Shall be required to review the employee's disciplinary history. All complaints

shall be reviewed in considering whether a pattern of behavior potentially exists that could be detrimental to the officer or to the department.

- b. Shall review the employee's personnel file for other items, such as the nature and number of extra employment positions and compliance with other department policies.

After five years in a proactive investigative assignment and every two years thereafter, proactive investigators shall schedule and attend a psychological counseling session administered by HPD's Psychological Services Division. The counseling session shall be confidential and Psychological Services Division shall not be required to submit a report to the department unless otherwise required by law. Supervisors are responsible for ensuring that officers working proactive assignments are scheduled for counseling as required by this General Order.

The requirement for periodic psychological counseling neither supersedes the requirements and guidelines regarding the Administrative Personnel Committee outlined in General Order 300-05, **Workers' Compensation** nor prevents a supervisor from seeking assistance for an employee from Psychological Services Division as needed.

Transferring to a Proactive Investigative Assignment

Each applicant, including those already assigned to the concerned division, must do all of the following when applying for a proactive investigative assignment:

- a. Submit a new resume.
- b. Participate in an interview in front of a panel of supervisors and investigators with relevant experience in the open position.
- c. Take a written test applicable to the job description.

d. Take a preliminary psychological examination for a baseline score.

e. Submit to an assignment drug test.

Officers accepting a proactive investigative assignment shall be required to complete a six-month, structured training and evaluation period. Each division shall be responsible for developing training and submitting the curriculum to the Training Division for approval. The training shall be incorporated into the division's standard operating procedures once it is approved by the Training Division. This training shall be documented thoroughly by both the mentoring officer and the supervisor of the new employee. Things that should be documented include training hours, the tasks completed, and any observed strengths or weaknesses.

The supervisor shall hold monthly meetings with the new employee to discuss the training period. At the end of the evaluation period, the supervisor shall provide a recommendation to either retain the new employee or return the employee to the previous assignment or any available similar assignment.

See below section 13, *Involuntary Transfers*, for information regarding involuntarily transferring an employee from a proactive investigative assignment.

13 INVOLUNTARY TRANSFERS

Upon written approval by the Chief of Police or the executive assistant chief or assistant chief over an officer's current division, an officer may be transferred from any assignment within the department at any time.

Involuntary transfers require a copy of the correspondence to be attached to the *Personnel Changes* form. Placement may be at the discretion of the Chief of Police.

All officers scheduled to be transferred involuntarily shall be given written notice of the transfer ten *calendar* days prior to the effective date of the transfer when practical. The ten days shall commence on the date the officer signs the *Personnel Changes* form. The officer being transferred may waive the ten-day requirement. If an officer is involuntarily transferred, no minimum assignment period shall apply unless noted elsewhere in this General Order or authorized by the executive assistant chief over the division to which the officer is transferred.

Involuntarily Transferring an Employee From a Proactive Investigative Assignment

An officer who is involuntarily transferred from a proactive investigative assignment shall not be eligible to transfer to another proactive investigative assignment for a period of two years. An officer involuntarily transferred from a proactive investigative assignment shall be assigned to a uniformed division unless otherwise approved by the assistant chief of the receiving command.

14 ROTATION TRANSFERS

Unless otherwise approved by the Chief of Police, the least senior employee in each of the police officer and sergeant ranks who has not worked a rotation assignment shall be subject as noted below to a rotation transfer to fill a vacant rotation assignment.

The police officer with the least seniority who has completed the department's Field Training Program and the twelve-month probationary period shall be identified to fill a vacant rotation assignment. Excessive absences during a rotation assignment may extend the assignment for a police officer.

The least senior sergeant who has completed the Patrol Sergeant Training Program

shall be identified to fill a vacant rotation assignment.

Employee Services Division shall:

- a. Administer the rotation transfer process.
- b. Maintain a list of divisions considered as rotation assignments.
- c. Identify the least senior employee in each of the police officer and sergeant ranks who has not worked a rotation assignment.
- d. Maintain a database of all police officers and sergeants to identify those who have completed their rotation assignment.
- e. Provide a list of vacancies to those officers and sergeants who have completed their rotation assignment and are interested in transferring.

Post Rotation Assignment Options

After the minimum assignment period in a rotation assignment, police officers and sergeants shall be eligible to transfer utilizing any of the transfer options outlined in this General Order or listed below:

- a. Accept a position offered by ESD. The assignment shall not have a minimum assignment period.
- b. Seek an assignment without assistance from ESD. The assignment shall be considered voluntary and restrictions of the minimum assignment period shall apply.

With approval of the concerned division commander, police officers and sergeants also have the option of remaining in a rotation assignment after the minimum period required. In this case, the rotation assignment shall become a regular assignment.

15 INTERNAL AFFAIRS/CENTRAL INTAKE OFFICE AND INSPECTIONS DIVISION

Only the assistant chief of Professional Standards Command may authorize assignments to Internal Affairs/Central Intake Office (IAD) or Inspections Division. Decisions may be based on recommendations from the division commander of IAD or Inspections Division.

Police Officers and Sergeants

The minimum assignment period for a police officer or sergeant in IAD or Inspections Division is two years. After completing the two-year minimum assignment in IAD or Inspections Division, police officers or sergeants wanting to transfer shall have the same options as outlined under subsection "Post Rotation Assignment Options" in section 14 of this General Order.

IAD sergeants may serve an additional three years, but shall not serve more than five consecutive years in that assignment except as noted below or unless approved by the Chief of Police. Sergeants who have served in IAD for five or more consecutive years and who have not been able to transfer out shall be involuntarily transferred except as noted below. Upon approval by the Chief of Police, the involuntary transfer shall be based upon the needs of the department.

Police officers may serve more than five years in IAD with the authorization of their division commander.

Lieutenants

The minimum assignment period for a lieutenant in IAD or Inspections Division is two years. Assignment extensions beyond that time in IAD shall be based on the needs of the department, but shall not exceed an additional three years except as noted below or unless approved by the Chief of Police.

Lieutenants are not guaranteed to return to their previous assignments when transferring from IAD or Inspections Division.

Administrative Positions

A lieutenant, sergeant, or police officer who occupies an administrative position in IAD is exempt from the five-year assignment limitation.

Exceptions

Unless otherwise approved by the Chief of Police, police officers, sergeants, or lieutenants who have completed a minimum assignment period in IAD in their current rank shall not have to serve in Inspections Division and vice versa.

Additionally, police officers, sergeants, or lieutenants who have completed a minimum assignment period in either IAD or Inspections Division in their current rank shall not be involuntarily assigned to a rotation assignment unless approved by the Chief of Police.

16 SPECIAL TRANSFERS

The following special transfer situations are exceptions to the voluntary transfer requirements:

- a. One-for-one transfers of eligible officers between two patrol divisions. The exchange may be made even though there are no vacancies in either division. Both affected division commanders and the division commander of ESD must verify that both officers are eligible to transfer. Officers must complete the minimum assignment period in their current division before a one-for-one transfer shall be approved. One-for-one transfers are between two patrol divisions only. The division commander of the receiving division shall determine the days off and shift of the transferring officer. One-for-

one transfers shall have a one-year minimum assignment period.

- b. Before completing the minimum assignment period in a non-rotation assignment, officers who are assigned to non-patrol divisions may transfer to any patrol division that has an available position. This type of transfer to a patrol division shall have a one-year minimum assignment period.
- c. Transfers to the Office of the Chief of Police, the office of an executive assistant chief or assistant chief, or a special assignment authorized by the Chief of Police. These assignments are at the discretion of the Chief of Police.
- d. Transfers from the Office of the Chief of Police, the office of an executive assistant chief or assistant chief, or a special assignment authorized by the Chief of Police. Upon request, officers may return to their previous regular assigned division when a vacancy occurs and with approval by the division commander of the requested division. Otherwise, officers may be reassigned through a Method A or Method B transfer or may be assigned to any position authorized by the Chief of Police.

17 INVESTIGATIVE SELECTION PROCESS

This section outlines the selection process for police officers and senior police officers applying for investigative positions in the department. The selection process for sergeants applying for investigative positions is governed by other sections of this General Order.

Terminology

The following definitions apply to this section only.

Investigative Division. One of the department's divisions responsible for investigative

efforts and subject to the investigative selection process for transfers to an investigative position. This includes divisions under Investigative Operations, as well as Criminal Intelligence Division and other divisions as determined by the Chief of Police.

Investigative Officer. A police officer or a senior police officer directly responsible for conducting investigative tasks or managing investigations. Officers working in an administrative capacity are not defined as investigative officers.

Investigative Position. A position in an investigative division in which the functions of an investigative officer are normally performed.

Introduction

The investigative selection process (ISP) outlined in this section applies to only vacancies in investigative positions. Vacancies in administrative positions in investigative divisions shall be filled according to procedures outlined in other sections of this General Order. Intra-divisional reassignments to investigative positions shall be handled according to the policies outlined in section 10 of this General Order.

Investigative officers desiring to transfer to an investigative position in another division must submit to the investigative selection process for that division, regardless of the prior method of selection for their current position.

Transfers effected through the ISP are considered Method B transfers. In addition to the Method B transfer requirements outlined in other sections of this General Order, the ISP shall be conducted as outlined in this section.

Application and Eligibility

Application. Applicants for an investigative position must complete an *Application for*

Transfer (GF-0032) in person at ESD during the application period designated on the investigative division's classified job posting. Failure to follow directions or provide accurate information shall be grounds for disqualification from the process.

Attendance. Applicants may be disqualified if they have exceeded 64 hours of unscheduled leave within the 12-month period prior to application, selection, or transfer to an investigative position. Absences due to hospitalization, or military, maternity, IOD, ADA, or FMLA leave, or other absences approved by the Chief of Police shall not be considered unscheduled in the application process.

Applicants who have any incident of an unauthorized absence (e.g., Absent Without Permission) within 24 months prior to their application, selection, or transfer to an investigative position shall be disqualified.

Minimum Tenure. Unless otherwise approved by the Chief of Police, applicants shall have a minimum of three years of sworn service with HPD including a minimum of two years in a uniformed division. Tenure shall be calculated from the sworn date to the date of the concerned classified job posting.

Job Performance. Applicants shall have an overall "Strong" or higher rating on each of their two most recent *Report of Employee Efficiency Ratings*.

Investigative Training. Applicants shall complete the Police Department's 40-hour Basic Investigators School prior to or within one *calendar* year of transferring to an investigative position. Only the executive assistant chief over the concerned division may approve exceptions to this requirement.

Internal Affairs Complaints. Officers with a sustained complaint (Class I or II) with a discipline Category C, D, or E that is still within the department's prescribed reckoning

period are not eligible to apply for or transfer to an investigative position.

Applicants with a sustained complaint (Class I or II) other than untruthfulness with a discipline Category A or B that is still within the department's prescribed reckoning period shall be reviewed to determine eligibility to continue with the selection process. The executive assistant chief over the concerned division shall be the final authority regarding the eligibility of these officers to participate in the ISP. However, officers shall not be eligible to transfer to an investigative position until the department's prescribed reckoning period and any other eligibility period has been satisfied.

Officers with a sustained untruthfulness complaint (Class I or II) are not eligible to apply for or transfer to any investigative position for a period of seven years from the date of discipline for Category D or E violations and for five years from the date of discipline for Category A, B, or C violations.

Applicants with a pending internal affairs investigation are not eligible to transfer to an investigative position but are allowed to continue with the ISP on a conditional basis provided that no other disqualifying factors exist.

If a pending internal affairs complaint is sustained, officers shall not be eligible to transfer to an investigative position until the department's prescribed reckoning period and any other eligibility period has been satisfied.

Additionally, any sustained cite or series of sustained cites (e.g. criminal activity, court attendance, inattention to duty, conduct and behavior) may be a deciding factor regarding an officer's suitability for an investigative position and may warrant disqualification from the ISP. The executive assistant chief over the concerned division shall be the final authority regarding the eligibility of these officers.

Assessment

Following the application period designated on an investigative division's classified job posting, the division shall conduct an assessment of all potentially eligible applicants. The assessment process shall be designed to evaluate the applicants' suitability for an investigative position in the division. The assessment process may include, but is not limited to, interviews and analyses of prior work products, applicant productivity, supervisor ratings, or specialized training. Additionally, the investigative division may develop written and/or oral exercises designed to test applicants' interpersonal skills, deductive reasoning, or oral or written communications.

The investigative division shall then assign each applicant a total score. Each investigative division shall maintain a record of these scores according to their division's records retention schedule. Applicants who achieve at least 85 percent of the available points shall be classified and grouped as Most Ready. Applicants who achieve at least 70 percent but less than 85 percent of the total available points shall be classified and grouped as Ready. Applicants who fail to score at least 70 percent are ineligible for the concerned ISP transfer and shall be classified as Not Ready. Eligible applicants shall be identified on an *established list* in either the Most Ready group or the Ready group.

Applicants on an *established list* remain in consideration for positions in the concerned division until the pool of eligible applicants on the list is exhausted but for no longer than one *calendar* year from the date the list is established by ESD.

Selection

Under the ISP, division commanders shall select from among the Most Ready group of applicants on an *established list* and proceed to the Ready group once all of the Most

Ready applicants have been transferred, have twice declined the transfer offer, or have been otherwise removed from that established list.

A division commander may select an applicant from the Ready group before the list is exhausted for the Most Ready group only if the applicant in the Ready group possesses a *bona fide occupational qualification* not available in any of the Most Ready applicants.

A *bona fide occupational qualification* for an investigative position includes, but is not limited to, language skills, computer knowledge, or investigative experience. For department purposes a *bona fide occupational qualification* does not include race, national origin, religion, age, or sex. Only the executive assistant chief over the concerned division may approve requests to by-pass a Most Ready applicant.

If there is a need for a classified employee based on race, national origin, religion, age, sex, or other qualification, it must be expressly and explicitly articulated why that qualification is reasonably necessary for the normal performance of duties for the particular job assignment.

Applicants offered investigative positions in the Homicide, Narcotics, Major Offenders, Vice, or Special Victims divisions must complete an evaluation with Psychological Services Division. Applicants who fail to meet this requirement or who are deemed Not Ready for the assignment by Psychological Services Division shall be disqualified from consideration for that position.

Probationary Period

Officers transferred via the investigative selection process shall have a probationary period of 180 calendar days. During the probationary period, the officer's performance in the new position shall be closely monitored.

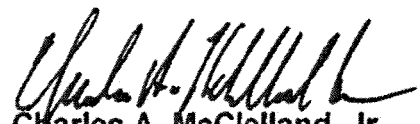
If the officer fails to meet the division's established performance standards for the position during the officer's 180-day probationary period, the officer may be offered an intra-divisional reassignment or the division commander shall document the weaknesses and petition in writing to the assistant chief for the officer's removal from the division. If the assistant chief concurs the officer is no longer suited for the division, the officer shall be transferred by any approved transfer method.

Officers removed from a division because of job performance deficiency are not guaranteed any specific assignment, shift, or days off. Placement may be at the discretion of the Chief of Police.

18 RELATED GENERAL ORDERS AND REFERENCE MATERIAL

- 300-03, Seniority
- 300-04, Compensation
- 300-05, Workers' Compensation
- 300-07, Overtime Compensation
- 300-09, Absence From Duty – Classified
- 300-10, Transitional Duty Assignment

Houston Police Department Corrective Action Manual


Charles A. McClelland, Jr.
Chief of Police