

Section 143.023 Eligibility for Beginning Positions (Revised: 02/03/2014)

Refer to Section 143.023 of Chapter 143

(A) POLICE DEPARTMENT

To the extent that employment standards for beginning police officers, as provided in the Civil Service Classification Plan, exceed the requirements of Chapter 143 and other applicable state laws, any such entry level employment requirements not prescribed by state laws may be waived by the Chief of Police, with the concurrence of the Director of Civil Service, and the consent of the City Manager when such waiver would be in the best interest of the police department, and provided further that such waiver of requirements shall not substantially lower the high standards sought by the City. Any such waiver made by the Chief of Police shall not cause a violation of any federal or state law.

All applicants must meet any and all minimum requirements and be eligible for future certification/licensing as a peace officer, as specified by the Texas Commission on Law Enforcement (TCOLE) standards.

Applicants must also meet each of these standards and requirements as of the last date applications are accepted, and subsequently throughout the selection process. Applicants failing to meet TCOLE requirements and each of the following standards are subject to rejection from the hiring process:

- 1) Age and Citizenship:
 - a) At least 21 years of age by the time of the entrance examination; or at least 18 years of age if the applicant has received:
 - i) an associate's degree; or over 60 semester hours of credit from an accredited college or university; or
 - ii) has received an honorable discharge from the armed forces of the United States after at least two years of active service;
 - b) A person who is 45 years of age or older may not be certified as eligible for a beginning position in the police department.
 - c) All applicants must be a United States Citizen
- 2) Education:
 - a) An applicant must meet one of the following minimum educational requirements:
 - i) be a graduate of an accredited high school; or
 - ii) have passed a general education development (GED) test indicating a high school graduation level.
 - b) An applicant must be able to fluently read, write and speak the English language.
- 3) Military Service (if applicable):
 - a) Must not have been discharged from any military service under less than honorable conditions including:
 - i) under other than honorable conditions;
 - ii) bad conduct;
 - iii) dishonorable; or
 - iv) any other characterization of service indicating less than honorable character.
- 4) Criminal History:
 - a) In the event an applicant received probation or court-ordered community supervision for a criminal offense, the date of conviction, or the date that the probation or community supervision was completed shall be used as the start date to calculate any time period restrictions.

In the event that an applicant received deferred adjudication for a criminal offense, the date that the case was heard by the court shall be used as the start date to calculate any timer period restrictions.

- b) Cannot have been convicted of conduct which constitutes a felony; is or has been on court-ordered community supervision or probation for conduct which constitutes a felony, under any State or Federal Law to include the Uniform Code of Military Justice (UCMJ).
 - c) Cannot have committed conduct which constitutes a felony within seven (7) years preceding the last date applications are accepted. Exceptions may be considered as described in the Sherman Police Department Entry-Level Drug Usage Guidelines.
 - d) Cannot have been convicted of a Class B misdemeanor offense, or any misdemeanor offense above the grade of a Class B misdemeanor, or the closest equivalent, within ten (10) years under any State or Federal law, to include the Uniform Code of Military Justice (UCMJ). Time limit exceptions may be considered and implemented in accordance with TCOLE Rule 217.1.
 - e) Cannot have been on court-ordered community supervision or probation for any Class B misdemeanor offense, or any misdemeanor offense above the grade of Class B misdemeanor, or the closest equivalent, within ten (10) years from the date of the court order under any State or Federal law, to include the Uniform Code of Military Justice (UCMJ). Time limit exceptions may be considered and implemented in accordance with TCOLE Rule 217.1.
 - f) Cannot have committed any misdemeanor offense above the grade of Class B misdemeanor, or the closest equivalent under any State or Federal law, to include the Uniform Code of Military Justice (UCMJ), within three (3) years. The department head may make exceptions if he/she determines that mitigating circumstances exist with the individual applying and that the public interest would be served by reducing, or eliminating that waiting period.
 - g) Cannot have any active arrest warrants above the grade of Class C misdemeanor, or the closest equivalent, during the application process. Any active Class C misdemeanor warrants must be cleared within 14 days of notification of the existence of the warrants.
 - h) Cannot have any pending criminal charges for any offense. The department head may make exceptions to pending Class C misdemeanor charges if he/she determines that mitigating circumstances exist with the individual applying; that the public interest would be served by waiving this restriction; and that the applicant can dispose of the charges to the department head's satisfaction within 14 days of notification.
 - i) Cannot have been convicted for a non-traffic Class C misdemeanor offense within 18 months. The department head may make exceptions if he/she determines that mitigating circumstances exist with the individual applying, and that the public interest would be served by reducing, or eliminating the waiting period.
 - j) Cannot have previously used illegal drugs in violation of the department's guidelines on drug usage. A current copy of the Sherman Police Department's guidelines on drug usage shall be on file with the Commission.
 - k) Cannot have been arrested by the Sherman Police Department within 5 years preceding that last date applications are accepted.
 - l) No conviction for any family violence offense under any State or Federal law to include the Uniform Code of Military Justice (UCMJ).
 - m) Cannot be prohibited from purchasing, possessing or carrying a firearm or ammunition, by any State or Federal law or statute.
- 5) Driving Record:
- a) Must possess a valid driver's license that is not in jeopardy of suspension or revocation as of the last date applications are accepted.
 - b) No license suspensions in the two (2) years preceding the last date applications are accepted.
 - c) No more than three (3) events (hazardous moving traffic violations convictions or preventable accidents) in the 2 years preceding the last date applications are accepted.
 - d) Cannot have pending or unresolved traffic citations from any agency or jurisdiction whose conviction would create a minimum standard violation.
 - e) Cannot be prohibited by any State or Federal law from operating a motor vehicle.

- f) Overall driving record must be indicative of safe driving habits.
- 6) Physical Standards
- a) Each applicant must pass a physical ability assessment approved by the Commission demonstrating that the applicant is physically capable of performing the essential job functions for the position of police officer.
 - b) Each applicant must be examined by a licensed physician approved by the Commission and be declared in writing before the date of appointment:
 - i) to be physically sound and free from any defect which may adversely affect the performance of duties as defined by the essential job functions appropriate to the position of police officer; and
 - ii) to show no traces of drug dependency or illegal drug use after a physical examination, blood test or other medical test.
- 7) Psychological Standards
- a) Each applicant must be examined by a licensed psychologist or psychiatrist and be declared in writing before the date of appointment to be in satisfactory psychological and emotional health for licensing as a peace officer. The examination shall be conducted pursuant to professionally recognized standards and methods and must be administered by an experienced professional who is a:
 - i) licensed psychologist or psychiatrist, appointed by the Commission; or
 - ii) qualified psychologist exempt under licensure by the Psychologist Certification and Licensing Act, Section 22, who is recognized under exceptional circumstances, appointed by the Commission.
- 8) Other Standards:
- a) Must pass an extensive background investigation, including submitting fingerprints for a criminal record check and passing a polygraph examination.
 - b) Must pass an oral interview board. An applicant who receives a failing score on the oral board may be terminated from the selection process.
 - c) Has made a false statement, whether written or oral, of a material fact, has cheated or practiced any deception or fraud in connection with any portion of the testing, application, background investigation, hiring, or appointment process. – Rejection shall be permanent.
 - d) Has ever had membership in any organization or party that promotes and/or otherwise advocates the disruption or overthrow of the United States Government. Has ever had membership in any organization, group or party identified as promoting, advocating, condoning, or participating in any racist/hate related activities. – Rejection shall be permanent.
 - e) Has demonstrated a failure to pay just debts. Factors to be considered shall include the type and number of debts, circumstances of any bad credit information, extenuating circumstances and the potential for credit related problems impacting the applicant's judgment and integrity. Applicants will be considered on a case by case basis due to the number of variables involved.
 - f) Has been dismissed or resigned in lieu of dismissal, from any employment for inefficiency, delinquency or misconduct. Due to the number of variables involved, said dismissal or termination will be considered on a case by case basis.
 - g) Has ever been employed in an illegal occupation. – Rejection shall be permanent.
 - h) Has a history of unstable work, including short terms of unemployment over the applicant's employment history. Due to the number of variables involved, each situation shall be considered on a case by case basis.
 - i) Has failed to complete or satisfactorily meet the employment requirements of the respective department including failure to return necessary paperwork; failure to notify the department of changes in address or telephone numbers; failure to timely cooperate with the background investigator; or who otherwise fail to complete the application/selection process.

- j) Applicant has demonstrated poor judgment, poor decision making, or immaturity in the five (5) years preceding the last date applications are accepted. Examples of such conduct would include, but may not be limited to: attendance at parties or social functions at which controlled substances or dangerous drugs are consumed, and such activity is known or should have been known by the applicant; silent acceptance of known illegal conduct by others in his presence; workplace behavior/decisions that adversely affect the business or associates, with little or no objectively justifiable need for such behavior. Due to the number of variable involved, each situation shall be considered on a case by case basis.
- k) Inability or unwillingness to comply with or otherwise conform to all lawful conditions of employment, and the policies and procedures of the Sherman Police Department and the City of Sherman.
- l) An applicant must not have been previously rejected for failing any portion of the background process within the twelve (12) month period preceding the last date applications are accepted.

Other Requirements:

- Must be free of disease or physical and/or mental defect that would in any manner interfere with the applicant performing the duties of a police officer
- Must have eyesight that is correctable to 20/20 in each eye, and 20/70 uncorrected (colorblindness is disqualifying condition)
- Must have normal hearing ability free from hearing impairment

**SHERMAN POLICE DEPARTMENT
ENTRY-LEVEL DRUG USAGE GUIDELINES**

1. Marijuana

- a) No unlawful misdemeanor use, or possession of THC (Tetrahydrocannabinol) and its derivatives such as marijuana, cannabis, hashish, blunts, joints, within two (2) years of the last date applications are accepted.
- b) No unlawful misdemeanor use, or possession of synthetic cannabinoids (Penalty Group 2-A) within two (2) years of the last date applications are accepted.
- c) No unlawful sale, distribution or manufacture of any of the substances listed above. Rejection shall be permanent.
- d) No unlawful felony level purchase or possession of any substance listed above, under any State or Federal Law, to include the Uniform Code of Military Justice (UCMJ). Rejection shall be permanent.

2. Controlled Substances or Dangerous Drugs

- a) No unlawful state jail felony level purchase, possession or consumption of any Texas Health and Safety Code Penalty Group 1, 1-A or Penalty Group 2 drug within ten (10) years preceding the last date applications are accepted. Due to the number of variables involved, exceptions may be considered on a case by case basis for any purchase, possession or consumption prior to the ten (10) year period.
- b) No unlawful misdemeanor purchase, possession or consumption of any Texas Health and Safety Code Penalty Group 3 or 4 drugs within five (5) years preceding the last date applications are accepted. Due to the number of variables involved, exceptions may be considered on a case by case basis for any purchase, possession or consumption prior to the five (5) year period.
- c) No unlawful third degree felony level purchase, possession or consumption of any Texas Health and Safety Code Penalty Group 1, 1-A, 2, 2-A, 3, and 4 drug. Rejection shall be permanent.
- d) No unlawful sale, distribution or manufacture of any controlled substance or dangerous drug. Rejection shall be permanent.

Applicants whose conduct constitutes unlawful use of prescription medication or unlawful use of the prescription medication of another person may be temporarily or permanently disqualified. Due to the number of variables involved conduct involving the misuse of prescription medication may be considered on a case by case basis with consideration given to circumstances and recency.