

	POLICY
	Unit: Administration
Number:	Title: Candidates for COPA Employment – Current or Former Chicago Police Department Members
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Candidates for COPA Employment – Current or Former Chicago Police Department Members

PUBLIC POLICY STATEMENT

Effective policies ensure compliance with the law, promote the use of best practices, foster integrity and independence in the performance of COPA activities, and provide transparency regarding the procedures and standards for the conduct of those activities.

COPA is committed to engaging in hiring practices that conform with applicable law, are not based on improper considerations, and take into account all information necessary to make as informed a hiring decision as possible. This includes, for candidates who are current or former Chicago Police Department members, conducting a meaningful review of Department Disciplinary Histories.

Section 2-78-120(s) of the Municipal Code of Chicago (MCC) empowers COPA to set minimum qualifications and appropriate screening procedures for all persons to be considered for employment by COPA. Though this policy applies to sworn and civilian Department members applying for positions (across all sections and divisions) within COPA, which may include bid positions,¹ the MCC also states that no “investigator” employed by COPA will be a current or former sworn member of the Department within the last five years.

COPA’s efforts to comply with employment restrictions detailed in the MCC occur in collaboration with the Department of Human Resources (DHR), the City of Chicago agency charged with facilitating hiring and employment processes for most aspects of City government. In addition to posting and advertising open positions, drafting job specifications, and facilitating communication with applicants, DHR assists COPA by initially screening out any applicants for positions within COPA’s Investigations Section who are current or former sworn Chicago Police Department members within the last five years. Therefore, the processes detailed below are applicable only to candidates that are not screened out due to restrictions detailed in the MCC, otherwise meet minimum qualifications for the position, and are being considered for hire by COPA.

COPA staff involved in the hiring/selection process must confirm, through processes established by DHR, that they have no actual, potential, or perceived conflict of interest with any prospective candidates. *See* the City of Chicago Conflict of Interest Disclosure Policy for the Interview Process.

¹ Refers to City of Chicago employees who are represented by a union and have the right to apply for positions, or be given preference in the application process, pursuant to terms of applicable collective bargaining agreements. A portion of COPA’s workforce is covered by a collective bargaining agreement between the City of Chicago and the American Federation of State, County & Municipal Employees (AFSCME) Council 31.

PURPOSE

This policy is intended to outline the procedure by which COPA will collaborate with DHR to obtain and review the Disciplinary Histories of COPA candidates for employment who are current or former Department members.

DEFINITIONS

Term	Meaning
Disciplinary History	A listing of disciplinary investigations resulting in sustained findings and subsequent disciplinary or employment actions taken by the Department.

POLICIES

I. REVIEW OF DISCIPLINARY HISTORY

- A. COPA, in coordination with DHR and the Chicago Police Department, will ensure that the Disciplinary Histories of current and former Department members, both sworn and non-sworn, are reviewed prior to employment with COPA.
- B. Pursuant to applicable DHR procedures, during pre-employment verification of candidate eligibility for employment, DHR will contact the Records Section of the Bureau of Internal Affairs (BIA) to request a copy of the applicable Disciplinary History for any prospective COPA employee who is a current or former Department member.²
 1. DHR will incorporate the copy of the Disciplinary History in the candidate's application file, as well as provide a copy to COPA for review and consideration.
 2. In the event the request returns no Disciplinary History for the candidate, DHR will notify COPA that no Disciplinary History for the candidate exists.
 3. If a candidate otherwise fails to satisfy other screening criteria, a review of the candidate's Disciplinary History by COPA will not be necessary.
 4. COPA will identify staff assigned to administrative services as point(s) of contact for receipt of the Disciplinary History for review at COPA.
- C. The Chief Administrator (or designee) will determine the candidate's eligibility for employment based on a review of the Disciplinary History.
 1. COPA may contact BIA, if appropriate, and as it relates to investigations conducted by BIA to obtain context to information contained in the Disciplinary History.

² As a general matter, the "pre-employment verification" process refers to a phase of the hiring process occurring after candidates for employment have been interviewed, COPA has selected candidate(s) for hire, and DHR is conducting final verifications related to candidate qualifications prior to extending any offer(s) of employment.

- D. The Chief Administrator (or designee) will make employment eligibility determinations on a case-by-case basis based on the following factors that include, but are not limited to:
1. candidate position/rank/supervisory status with the Department and length of service/experience;
 2. candidate timely self-reporting;
 3. candidate failure to accept responsibility (or, conversely, acknowledgement of wrongdoing and/or acceptance of responsibility);
 4. candidate efforts to conceal misconduct and/or conduct that suggests a lack of candor and serves to erode public trust (or, conversely, efforts to remedy the misconduct);
 5. candidate efforts to influence witnesses;
 6. retributive or retaliatory conduct;
 7. victim is a member of the public;
 8. whether misconduct caused injury;
 9. whether misconduct exposed Department to civil liability;
 10. prior warnings;
 11. vulnerability of the victim;
 12. evidence of unlawful bias, including but not limited to, discriminatory actions on the basis of race, color, ethnicity, religion, homeless status, national origin, immigration status, gender identity or expression, sexual orientation, socio-economic class, age, disability, incarceration status, or criminal history;
 13. disregard for training expectations conveyed to the candidate by the Department; and
 14. unintentional or inadvertent misconduct.
- E. If COPA determines the candidate to be ineligible for hire, the Chief Administrator (or designee) will draft and send correspondence to the candidate specifying the reasons for ineligibility.
1. COPA will provide DHR with a copy of this correspondence for inclusion in the candidate's application file.
- F. If COPA determines the candidate to be eligible for hire, the Chief Administrator (or designee) will draft correspondence to DHR, for inclusion in the candidate's application file, indicating as much.

II. RECORDKEEPING

- A. COPA's administrative services personnel will store copies of Disciplinary Histories received from DHR in accordance with COPA Policy (Personnel Records) and will not make Disciplinary Histories received pursuant to this policy available for inclusion in a COPA investigative file related to a disciplinary investigation of a Department member.

EXCEPTIONS

This policy does not apply to the position of Chief Administrator of COPA. *See* Section 2-78-115 of the Municipal Code of Chicago for qualifications for appointment, which include, "The Chief Administrator shall not be a current or former sworn employee of the [Chicago] Police Department, a non-sworn employee of the [Chicago] Police Department within the last five years, or an employee of the Cook County State's Attorney's Office within the last five years." *See also* Section 2-80-080 of the Municipal Code of Chicago for selection processes for the position of Chief Administrator of COPA.

RELATED INFORMATION

<u>Title</u>	<u>Link</u>
Personnel Records	COPA Policy
Records Retention	COPA Policy
City of Chicago Conflict of Interest Disclosure Policy for the Interview Process	City of Chicago Policy
COPA Notice of Adverse Action	COPA Template
COPA Notice of Eligibility for Hire	COPA Template

ADDITIONAL SEARCH OPTIONS

<u>Title</u>	<u>Link</u>
Return to [Section Description]	[LINK]
Proceed to [Next Section Description]	[LINK]
Return to Keyword Search	[LINK]
Return to Table of Contents	[LINK]