



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Signature Copy

Ordinance: O-EN-015-2022

File Number: ORD-22:011

Enactment Number: O-EN-015-2022

ORDINANCE AMENDING ORDINANCE NO. 07:072, PROVIDING FOR A POLICE OFFICERS BILL OF RIGHTS AND FOR OTHER PURPOSES

WHEREAS, the Jonesboro City Council had previously by ordinance No. 07:072 created and enacted a Police Officers Bill of Rights covering the Police Department of the City of Jonesboro, Arkansas; and

WHEREAS, the Jonesboro City Council also adopted the 2021 Policy Manual for the Jonesboro Police Department via RES-21:284; and

WHEREAS, the Policy Manual (Section 315.04) outlines the current Promotional Process followed by the Jonesboro Police Department related to testing for promotions within the Department and compiling eligibility lists for promotions for each rank; and

WHEREAS, the Policy Handbook is the appropriate document to outline the promotional process; and

WHEREAS, it is the intention of the City Council that any changes to promotional and/or hiring procedures of the Jonesboro Police Department shall be presented and approved by Council prior to their implementation; and

WHEREAS, it being the desire of the City Council for the City of Jonesboro, Arkansas to Amend the Police Officers Bill Of Rights by removal of the following section dealing with promotional procedures (that is now outlined in the Policy Manual);

SECTION VII. PROMOTIONAL PROCEDURES WITHIN THE DEPARTMENT

The Jonesboro Police Department under the direction and authority of the Chief of Police shall conduct and be responsible for testing for promotions within the Department and compiling eligibility lists for promotions in each rank. The Human Resources Department shall be responsible for providing the written examination for the Police Promotional exam.

(A) ELIGIBILITY FOR PROMOTION

(1) An officer must have served at least five years as a patrol officer with the Jonesboro Police Department before the date of the written test to be eligible to test for promotion to Sergeant. Officers who have joined the Department as certified officers from other agencies must have a total of five years experience as a certified officer and may test for promotion after two years with the Department.

(2) A sergeant must have served at least one year in grade before the written testing date to be eligible to test for promotion to Lieutenant.

(3) A lieutenant must have served at least one year in grade before the written testing date to be eligible to test for promotion to Captain.

(4) A Captain must have served at least one year in grade before the written testing date to be eligible to test for promotion to Assistant Chief.

(5) The Chief of Police shall have sole authority to appoint an officer to the Criminal Investigation Division. This appointment will not constitute a promotion in rank, but is only a transfer of assignment. The officer need not be on the current promotional eligibility list in order to be eligible for permanent appointment to the position of Detective, but must have passed the promotional tests for the position of sergeant at any time prior to the appointment. Temporary appointments to the Criminal Investigation Division without meeting this criteria in emergency circumstances is permitted but are not to last beyond the cessation of the emergency.

(B) TESTING COORDINATOR AND TESTING PROCEDURE SECURITY

The Human Resources Department and the Assistant Chief of Police shall act in conjunction with each other as the Testing Coordinators for the written promotional examination. The Human Resources Department shall be responsible for security of the written test up until the time that the test is administered. The Assistant Chief of Police additionally will act as the Testing Coordinator for all other portions of the testing process. All portions of the test, scores and associated procedures shall be kept confidential during the testing process to insure the integrity of the test. The Assistant Chief of Police shall be responsible for making testing announcements and disseminating pertinent information to the police department about the promotional testing procedure.

(C) TESTING PROCEDURES AND SCORING VALUES

(1) The Human Resources Department shall obtain a written test from an outside firm which will contractually guarantee the security of their test. The test must be applicable to the job description for each rank and adhere to the standards which meet legal requirements in force at the time of testing. The written test shall count for fifty percent (50%) of the total promotional score. The Human Resources Department shall insure that no person, other than the Human Resources representative(s) listed on the Test Security Agreement, shall have access to the written test prior to delivery of the test to the testing site. The Assistant Chief of Police shall be listed on the Test Security Agreement for the purpose of obtaining pertinent testing information such as study lists, and for the purpose of proctoring the written exam on the day of the test. The Human Resources Representative or Assistant Chief of Police shall insure that the test remains secure and sealed during delivery of the test to the testing site, and during the return of the test to the Human Resources Department. The elected police department representative or his/her designee, shall

verify that test security was maintained during this phase of the testing process.

(2) The Jonesboro Police Department will use a job performance Rating Board consisting of all Captains and the Assistant Chief of Police. Each promotional applicant shall be rated by each Board member and given a composite score. This score shall count for twenty percent (20%) of the total promotional score.

(3) An Assessment Board composed of the Assistant Chief of Police, one Captain, one Lieutenant and one Sergeant will interview/test each applicant for promotion and be given a composite score. This score shall count for twenty percent (20%) of the total promotional score. No person on the interview board shall conduct an interview of any other applicant that may be in competition for the same rank position. (Example: A Sergeant that has passed the written test cannot sit on the assessment board of another Sergeant that is competing for the same rank position.) In the event of any conflict regarding the makeup of the assessment board the Chief of Police reserves the right to make personnel adjustments to the assessment board to resolve the conflict.

(4) Each applicant will be given one (1) point for each year in grade served prior to the written testing date up to a total of ten (10) points. This score shall count for ten percent (10%) of the total promotional score.

(5) For promotions to the Rank of Captain and above the Chief of Police may conduct additional testing as needed to help determine the best applicant for staff level positions.

(D) ELIGIBILITY LIST FOR PROMOTIONS

An eligibility list for each rank shall be compiled in descending order of total testing scores. The list for each rank will continue in effect for twenty (24) months or less should one of the lists be depleted though promotions. Should a need arise to promote from a depleted list, a new test shall be administered for that rank only. Each officer who tests for promotion will be given written notice of his/her scores on each portion of the test and his/her total composite score on the test.

(E) PROMOTIONS

The Chief of Police shall have sole authority to promote any one of the top five (5) candidates on each promotional list. All candidates below the one promoted shall move up one position on the list.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL for the City of Jonesboro, Arkansas, that:

SECTION 1: The Officer’s Bill of Rights adopted in 07:72 and all previous versions are hereby amended to remove Section VII in its entirety.

SECTION 2: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: That any and all changes to the promotional and/or hiring procedures of the Jonesboro Police Department shall be presented to and approved by the Jonesboro City Council prior to their implementation.

SECTION 4: That if any provision of this ordinance is determined to be unlawful or unconstitutional, that said illegality or said unconstitutionality shall be taken as to provide only one provision and the rest and remainder of said ordinance shall remain in full force and effect.

PASSED AND APPROVED THIS 15TH DAY OF MARCH 2022.



I. Policy

The Jonesboro Police Department, under the direction and authority of the Chief of Police, shall conduct and be responsible for testing for promotions within the Department and compiling eligibility lists for promotions for each rank, in accordance with the Police Officer's Bill of Rights as adopted by the Jonesboro City Council. The rules as set forth by the Police Officer's Bill of Rights do not allow for lateral entry into any position of rank within the Jonesboro Police Department.

II. Eligibility for Promotion [4.06]

- A. An officer must have served at least five years as a patrolman with the city police department before the date of the written test to be eligible to test for promotion to sergeant. Officers who have joined the department as certified officers from other agencies must have a total of five years of experience as a certified officer and may test for promotion after two years with the department. Officers who have previously been promoted must have served at least one year in their current rank before being eligible to test for the next rank.
- B. Any eligible officer desiring to be examined for promotion shall submit a written request to the announced testing coordinator, by the posted deadline, as specified on the testing announcement. Submissions will not be accepted that are not turned in by the posted deadline.
- C. All applications will be evaluated to determine whether the candidate meets the eligibility requirements for promotion.
- D. Candidates who were eligible for testing, but who did not receive a passing score or did not receive a promotion may reapply for the next testing date.

III. Announcement and Application [4.06]

- A. Announcements for promotional testing shall be posted prominently at least ten (10) days prior to the deadline to apply for such examination. Periodic reminders by the Department e-mail may also be utilized to augment this announcement posting. A list of the relevant subject matter should be provided as study material those interested applicants.
- B. The written promotional testing announcement should include the following:
 - 1. A description of the position to include the expected duties, responsibilities, skills and knowledge required.
 - 2. A description of the eligibility requirements.
 - 3. A closing date for the application period.
 - 4. Dates, times and locations for all phases of the process.
 - 5. A description of the parts of the examination and the relative weight assigned to each part.

IV. Testing [4.06]

- A. Promotion shall be based upon open, competitive examinations, approved and administered by the Department in co-ordination with the City Department of Human Resources and shall be kept confidential to ensure the integrity of the test(s). The human resources department shall be responsible for security of the written test until the time that the test is administered. Upon conclusion of the written exam, the HR proctor and the Department coordinator shall ensure that all tests are secured for scoring. The Chief may serve as the Testing Coordinator or may appoint a member of Command Staff to serve as coordinator.
- B. A written test for the ranks of sergeant, lieutenant, captain and assistant chief shall be the initial primary component of the testing process in every promotional cycle. As determined by the Chief, for promotion testing to any rank of captain or above, the chief of police may conduct additional testing as needed to help determine the best applicant for staff level positions. Additional examination may consist of one or more of the following parts: oral interviews, performance tests (such as in-box tests), assessment centers, evaluations of training and experience or other appropriate tests. The Chief, in conjunction with the city Human Resource Director, shall determine the relative weight assigned to each part of the examination.
- C. Written tests shall be obtained from an outside firm and will consist of questions containing job-knowledge items taken directly from a pre-approved reading list, department policies and/or applicable law. All components of the qualifying examination will be job related and nondiscriminatory in nature.
- D. After the first part of a non-continuous examination is held, remaining weighted or qualifying examination parts may be eliminated if the number of successful candidates in the first part provides a sufficient list for existing vacancies without more than five candidates. If any one candidate makes written notification to the testing coordinator of a desire to continue the process, all remaining candidates will also have to complete the process.
- E. A second component of the testing process will be an assessment exercise. During the assessment portion, the following parameters will be observed:
 - 1. Assessment of the application of knowledge, skills, abilities, and other characteristics necessary for the performance of the rank being tested for will be administered.
 - 2. The assessment exercise will be oral and may contain realistic scenarios or open-ended questions that will require a verbal response. All components of the assessment exercise will be job related and nondiscriminatory in nature
 - 3. All candidates must abide by the rules of the examination set forth by the administrators and proctors while taking this portion of the examination
 - 4. All candidates will be provided an opportunity to review and appeal the assessment exercise. Procedures for this review and appeal process will be included in the candidate orientation and preparation guide and/or an informative announcement
 - 5. Following the assessment exercise, a list will be compiled based on performance (highest to lowest assessment exercise score). All candidates will be informed of their scores as well as their rank position on the list.

V. Scoring Values [4.06]

- A. All candidates will be informed of their written test scores and, if applicable, their eligibility for any remaining portions of the process. The cut-off score for the qualifying written examination will be 70%. (The Chief, in conjunction with the Human Resources Director and the testing coordinator,

has the authority to alter the cut-off or consider re-testing if an insufficient number of successful candidates is achieved). Only those candidates who meet or exceed the cut-off score will be afforded the opportunity to proceed to later stages of the promotional process.

- B. Candidates will be provided an opportunity to review and appeal the qualifying written examination.
- C. Scores for the assessment center portion of the test will be determined by the individuals conducting the assessment and will be tabulated and compiled by the company or individual responsible for the assessment.
- D. Candidates will also be scored on non-test related scales that measure job knowledge, skills and abilities through Command Staff evaluations. Points will also be awarded for higher education degrees, job specific education certificates and experience. Each candidate will be given one (1) point for every two years in grade served prior to the written testing date up to five (5) points. Candidates will be given one point for each law enforcement certificate held, up to five (5) points. Candidate will be given one (1) point for possession of a two year degree, two (2) points for possession of a four year degree and two (2) points for possession of a higher level degree (i.e. Master).
- E. Total scoring value will be determined through the following weights:
 - a. Written examination will consist of 45%
 - b. Assessment exercise – 40 %
 - c. Command Staff evaluations – 10%
 - d. Education and experience – 5%

VI. Eligibility List for Promotions [4.07]

The testing coordinator shall be responsible for composing the eligibility list for promotions. The eligibility list for each rank shall be compiled in descending order of total testing scores. The list for each rank will continue in effect for twenty (24) months or less should one of the lists be depleted through promotions. Should a need arise to promote from a depleted list; a new test shall be administered for that rank only. Each officer who tests for promotion will be given written notice of their scores on each portion of the test and their total composite score on the test.

VII. Promotions

- A. The Chief of Police shall have sole authority to promote any one of the top five (5) candidates on each promotional list. All candidates below the one promoted shall move up one position on the list.
- B. A.C.A. 14-51-301 (7) (A) requires a period of probation not to exceed six (6) months in the case of promotions. Upon promotion by the Chief of Police, the newly promoted Sergeant, Lieutenant, or Captain will begin a probationary period of six months. Individuals who do not complete the probationary period for performance reasons may be returned to the rank or position held prior to the promotion.

VIII. Review and Appeal [4.06]

- A. A.C.A 14-51-301 (9) (A) (ii) states all promotional examinations are to be protected from disclosure and copying. During the review process, the officer requesting the review may not copy any test questions.

- B. All appeals as to the results of specified examinations or other testing components, score values and/or eligibility list rankings should be made to the Chief of Police in writing. If an additional appeal is desired, additional appeals should be made in writing to the Department of Human Resources Director and/ or the Mayor.