



## **BACKGROUND REMOVAL STANDARDS FOR POLICE OFFICERS**

### **A. Honesty/Falsification**

Applicants will be removed from the eligibility list for any of the following reasons:

1. At any stage of the background investigation process, the applicant fails to disclose or acknowledge the use or purchase of any illegal drug(s), and at a subsequent stage in the process, the applicant admits to the use of an illegal drug, as an adult.
2. At any stage of the background investigation process, the applicant provides substantially inconsistent responses regarding illegal drug(s) or alcohol used or purchased by the applicant, as an adult.
3. At any stage of the background investigation process, the applicant fails to disclose or acknowledge any disqualifying behavior or activity on the part of the applicant, as an adult, relative to, and governed by, any of the Background Removal Standards.
4. Failure or refusal to answer or respond to oral or written questions during any phase of the selection process.
5. Any attempt to distort the polygraph examination results.
6. Use or attempted use of political influence to secure employment.
7. At any stage of the background investigation process, the applicant fails to disclose or acknowledge any prior discipline up to and including termination or resignation in lieu of termination with a prior employer relating to dishonesty in the workplace.
8. Any prior discipline up to and including termination or resignation in lieu of termination for dishonest statements, testimony, or behavior during the course of an active criminal investigation while applicant was employed by a law enforcement agency or serving in a criminal justice occupation.

For purposes of this standard, and Background Removal Standard H., the “use” of drugs occurs when an applicant smokes, puffs, ingests, tastes, injects, inhales, or otherwise tries, any illegal drug, including but not limited to, marijuana, cocaine, anabolic steroids, or chemical inhalants.

### **B. Family History**

Applicants will be removed from the eligibility list for any of the following reasons:

1. A conviction of a misdemeanor crime of domestic violence involving use of force or threatened use of a deadly weapon is a permanent disqualifier under Federal laws.

2. Non-compliance with a court order or legal contract to provide child support, alimony, or other financial responsibility as determined by the appropriate support enforcement bureau or a court of law within the preceding five (5) years.
3. Intentional violation of any protective or temporary restraining order as determined by a court of law within seven (7) years.
4. Verified or admitted sexual abuse as adult of one's spouse, ex-spouse, child, stepchild, parent, or other relative or person with whom one lived or has an intimate relationship.
5. Verified or admitted physical abuse as an adult within the last ten (10) years of one's spouse, ex-spouse, child, stepchild, parent, or other relative or person with whom one lived or has an intimate relationship.

**C. Employment**

Applicants will be removed from the eligibility list for any of the following reasons:

1. Three (3) or more involuntary terminations and/or discharges from employment within the last five (5) years. This shall not include terminations resulting from a business ceasing operations, or resulting from being laid off from a position of employment.
2. Post-probationary termination or resignation in lieu of discipline from any criminal justice occupation.

**D. Military History**

Applicants will be removed from the eligibility list for any of the following reasons:

1. Dishonorable discharge from military service.
2. Conviction of any article of the Uniform Code of Military Justice that would be equivalent to a felony under the Ohio Revised Code (ORC).

**E. Traffic**

Applicants will be removed from the eligibility list for any of the following reasons:

1. Any conviction of vehicular homicide shall permanently eliminate an applicant from consideration.
2. Driving under the influence of alcohol or drugs:
  - a) Conviction within the past five (5) years, or
  - b) More than one (1) OVI conviction as an adult; or
  - c) More than two (2) OVI convictions, if one of the convictions was as a juvenile.
3. Four (4) moving violations in the past three (3) years as an adult.
4. At the time of the interview or polygraph, the applicant does not possess a valid driver's license and auto insurance as required by the residence state and if the applicant owns a car.

**F. Gambling**

The term "gambling offense" shall include any activity defined as gambling by a federal, state, local statute or ordinance in the jurisdiction where the activity occurred.

Applicants will be removed from the eligibility list for any of the following reasons:

1. Conviction of a gambling offense, within the last five (5) years.
2. Admission to gambling that has resulted in an unstable financial or credit history within the last seven (7) years.
3. Conviction of or admission to engaging in the promotion of illegal gambling activity wherein the applicant gains a financial benefit.

**G. Criminal Activity**

Applicants will be removed from the eligibility list for any of the following reasons:

1. Any pattern of theft offenses, within the last five (5) years, which cumulatively exceeds \$1,000.00.
2. Any theft offense within the last five (5) years, which singularly is equal to a felony.
  - a) This standard includes theft of cable TV service(s), if the theft occurred in the last two (2) years.
3. Any fraudulent insurance claims or fraudulent applications for welfare, workers' compensation, unemployment compensation, or other public assistance programs in excess of \$1,000.00.
4. Any admission or conviction of an offense, as an adult, defined as a felony by the federal, state, or local law of the jurisdiction where the offense occurred. An admission of a felony offense would be disqualifying unless otherwise addressed by these standards.
5. Any admission or conviction of an offense, as a juvenile of one (1) violent felony as defined by the federal, state, or local law of the jurisdiction where the offense occurred.
6. Any conviction of a M-1 or M-2 misdemeanor as defined by the federal, state, or local law in the jurisdiction where the offense occurred, as an adult in the last five (5) years or more than one M-1 or M-2 conviction as an adult.
7. Any conviction of more than one (1) M-1 or M-2 misdemeanor as a juvenile, as defined by the federal, state or local law in the jurisdiction where the offense occurred. (Does not include traffic or minor misdemeanors.)
8. Any admission of an offense for carrying a concealed weapon within the last five (5) years if it is defined as a felony by the federal, state, or local law where the offense occurred.
9. Any pattern of theft offenses from an employer or during the course of employment as an adult.

## H. Illegal Substances

Applicants will be removed from the eligibility list for any of the following reasons:

1. Any use or purchase of drugs of abuse (except marijuana) within three (3) years before application. Drugs of abuse include chemical agents/solvent-based substances and prescription drugs taken for reasons other than intended use, in more than one (1) incident and without a prescription, especially Schedule I, II and III drugs.
2. Any use, purchase, or cultivation of marijuana within one (1) year before application or any time during the selection process.
3. Any illegal manufacture or sale of drugs of abuse, marijuana, or prescriptive drugs. If the substance was sold without profit to the applicant, the amount sold was de minimus, and the sale(s) occurred when the applicant was a juvenile or more than five (5) years ago, then the above Rule shall be negated.

For the purposes of this standard, the “purchase” of marijuana or other illegal drugs include those purchases made by pooling of resources or money by the applicant and others for substances for their own use.

## I. Applicant Non-Responsiveness

An applicant shall be removed from the process for any of the following reasons:

1. Failure to appear for pre-interview/interview.
2. Failure to appear for polygraph examination.
3. Failure to appear for medical/stress test.
4. Failure to appear for psychological exam.
5. Failure to return Personal History Questionnaire or Supplemental Questionnaire, or to respond to phone calls or correspondence from Background personnel.
6. Unable to locate at address/phone number on file.
7. Applicant is no longer interested in employment with the Division.
8. Failure to appear for oral board, if required.

All standards are cause for removal for timeframes listed and **any time during the selection process**. Unless otherwise noted, standards that reference a timeframe will be calculated from the date the eligibility list was established.

## J. Physical Fitness Standards

Applicants will be removed from the eligibility list for any of the following reasons:

1. Failure to meet or exceed the minimum scores for the applicant’s gender and age of the Ohio Peace Officer Basic Training Program physical fitness requirements. This standard shall nonetheless be subject to the City of Stow’s ADA Policy regarding reasonable accommodations for applicants with disabilities.

These standards shall only apply to applicants for the position of police officer and shall not apply to applicants for any other clerical, administrative or supervisory position with the Police Department that does not require an OPOTA certification from the State of Ohio.