

	<b>Standard Operating Procedure</b>		<b>Effective Date:</b> 04/01/2022
	<b>Title:</b> <b>Promoting Diversity In LE Recruiting and Hiring</b>		<b>Number:</b>  2.13
<b>Issuing Authority: Richard W. Spitler,</b> <b>Chief of Police</b> <i>Richard W. Spitler</i>			<b>Evaluation Date:</b> 04/01/2024
<b>Applicability: All</b>			
<b>Accreditation Standards:</b>			
<b>Revision Date:</b>	<b>Page Numbers:</b> 6	<b>Sections:</b>	<b>Supersedes:</b>
<p>The written Directives developed by the Mount Holly Township Police Department are for internal use only, and do not enlarge an officer’s civil or criminal liability in anyway. They should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of Written Directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.</p>			

**PURPOSE:**

As expressly required by the Act, each law enforcement agency in the State shall establish a program (the “Program”) “in furtherance of the goal of the agency being comprised of law enforcement officers who reflect the diversity of the population of the community the agency is charged with protecting.” Each agency shall make a good faith effort to meet specific goals for recruiting a diverse workforce, in terms of people of color and gender diversity.<sup>3</sup>

**A. POLICY:**

**I. GOALS**

Mount Holly Police Department will, at least annually, analyze the demographics of its law enforcement officers and determine if there is a substantial disparity between the racial, ethnic, and gender representation within the law enforcement officer ranks as compared with the racial, ethnic, and gender representation in the relevant population of the jurisdiction served by the agency. Any demographic group for which there is a substantial disparity, in terms of less representation on the police force, should be

considered an “underrepresented” group. In determining whether a disparity is substantial, the Mount Holly Police shall consider whether reducing the disparity would help achieve the Act’s goal of each agency’s police force “reflect[ing] the diversity of the population of the community the agency is charged with protecting” and thereby making the police force more effective at promoting public safety. The Program goals should describe (1) the identified underrepresentation of any group, (2) the means for addressing the underrepresentation, and (3) the intended time frame for doing so.

## **B. ADDRESSING UNDERREPRESENTATION:**

- I. Identified underrepresentation may be addressed by some or all of the below-listed actions, as well as others, which are detailed in the Program goals. The means of addressing underrepresentation shall not include quotas or any other legally impermissible provisions.
  1. The Mount Holly Police Department will use recruitment methods that target underrepresented demographic groups, especially local recruitment efforts. This approach may include outreach to law enforcement officer organizations based on race, ethnic group, gender, or religion; local colleges with significant student diversity; minority-serving educational institutions; and military veterans. Such methods may also include ensuring recruitment materials that (1) reflect visible diversity, (2) are reviewed by a diverse team prior to release, and (3) are delivered by a diverse recruiting team. The diversity of those conducting applicant interviews should also be considered. Finally, recruiting methods may involve establishing pipeline programs that foster and enhance an interest in law enforcement among diverse youth populations as early as middle school.
  2. Mount Holly Police Department will have standardized forms in the application process that reduce subjective responses that may impact the hiring of underrepresented groups, and training the recruiting and hiring team on explicit and implicit bias.
  3. The Mount Holly Police Department will institute clear criteria for hiring and an oversight process for reviewing hiring decisions. With respect to hiring, the police department will consider making publicly available information on examples of background-check issues that can disqualify applicants.
  4. The Mount Holly Police will assess whether particular hiring eligibility requirements adversely affect any underrepresented group and, if so, reassessing whether the requirement is essential. If the requirement is deemed essential, consider developing appropriate supportive initiatives or alternative paths. For example, if background checks consistently

disqualify an underrepresented group due to prior financial issues such as bad credit history or bankruptcy, Mount Holly Police will consider whether a mechanism for waiving the requirement in appropriate cases is warranted.

5. Mount Holly Police will assessing what the barriers are to applications by underrepresented groups and devising solutions to overcome those barriers. Mount Holly Police will offer underrepresented groups the ability to submit applications online, in person, and/or US postal service.
6. The Mount Holly Police will connecting with community stakeholders for underrepresented groups in order to better understand the factors affecting those groups in the application process.
7. The Mount Holly Police will establishing a mentorship programs for applicants from underrepresented groups that provide support for resume review and physical training requirement preparation, as well as mentorship for current officers seeking promotion. Mount Holly Police is a civil service jurisdictions particularly, and may work with the CSC's mentoring program for applicants pursuant to P.L.2021, c.235.
8. Mount Holly Police will raise awareness about the police officer testing and hiring process through flyers, advertising on social media, and appearing at job fairs and community events. Mount Holly is a civil service jurisdiction and may partner with the CSC itself may be beneficial.
9. The Mount Holly Police as a civil service jurisdiction, may partner with community stakeholders, including law enforcement organization affinity groups (see note 5), or the CSC itself (see P.L.2021, c.234 (requiring CSC to aid exam prep in certain low-income communities)), to identify and encourage free civil service exam preparation programs, and encouraging diverse potential applicants to attend. The Mount Holly Police may offer a scholarship process for underrepresented groups to obtain a free civil service exam preparation program.

### **C. METHODS OF EVALUATION:**

The Program shall include methods for evaluating whether the goals are achieved, which should include, but are not limited to, performing the above demographic analysis described in Section B. I. at least annually, determining whether any substantial disparities have been reduced, and revising the Program goals accordingly.

**I. ADDITIONAL CONTINGENT MEASURES:**

The Mount Holly Police Department, upon completion of each hiring cycle, will review the program goals to identify any deficiencies in the current program.

**D. PUBLIC POSTING**

The Program, including a description of the data used to determine the existence of any underrepresentation, shall be posted on the official Internet website of each law enforcement agency not later than June 7, 2022, which is six months from the issuance of these Guidelines.

**E. MONITORING:**

The County Prosecutor shall, from time to time, review the results of the Programs for each county and municipal law enforcement agency within its jurisdiction, and provide input, feedback, or recommendations to the respective agencies as the Prosecutor deems appropriate. The County Prosecutor shall report an annual summary of each agency Program within its jurisdiction for the preceding calendar year to the Attorney General by the last day of February. The Attorney General shall, from time to time, review the results of the Programs for each State law enforcement agency, and provide input, feedback, or recommendations to the respective agencies as the Attorney General deems appropriate.

**F. ANNUAL REPORTING**

By January 31st of each year, each State law enforcement agency shall report to the Attorney General, and each municipal and county law enforcement agency shall report to the County Prosecutor with jurisdiction over the agency (who will in turn gather and transmit the information to the Attorney General), the following information for the preceding calendar year. The information should not include the names of each individual. See Appendix A for the agency reporting form, which will also generate the agency's annual report.

1. The age, gender, race, and ethnicity of the law enforcement officers currently appointed to the law enforcement agency as of December 31 (or, if that data is unavailable, data from a different date reasonably close to year-end) of the preceding calendar year;
2. The age, gender, race, sexual orientation (if provided),<sup>7</sup> and ethnicity of applicants for a law enforcement officer position in the preceding calendar year;
3. The age, gender, race, and ethnicity of applicants appointed to the agency in the preceding calendar year, with transfer applicants listed separately;

4. The reasons for denying applicants an appointment to the law enforcement agency (Appendix A contains a list of denial reasons); and
5. The age, gender, race, and ethnicity of each law enforcement officer eligible for promotion and promoted within the agency in the preceding calendar year, including the position to which the officer was promoted.

**First reporting date.** The first reporting date shall be January 31, 2022, and the information reported should cover the time period from the effective date of these Guidelines through December 31, 2021.

**Demographic data collection.** The data collected should follow the below standards, as reflected in Appendix A (which may be updated in the future). Demographic information should be collected from applicants and promotion candidates on a distinct form from any application so as to remain separate from the selection process.

1. Race:
  - i. American Indian or Alaska Native
  - ii. Asian
  - iii. Black or African American
  - iv. Native Hawaiian or other Pacific Islander
  - v. White
  - vi. Two or more races
  - vii. Other
2. Ethnicity:
  - i. Hispanic or Latino
  - ii. Not Hispanic or Latino
3. Gender: As with all demographic reporting categories, applicants cannot be required to provide sexual orientation. The sexual orientation reporting category applies only to applicants, not current officers. We recognize that in civil service jurisdictions, it may not be possible to capture the sexual orientation category.
  - i. Female
  - ii. Male
  - iii. X or Non-Binary
4. Sexual orientation (for applicant reporting only):
  - i. Do you identify as LGBTQ+, yes or no?

**Additional requirements:** The annual reports described in Section F. should also include the agency's summary of the data based on the below prompts that are also included in Appendix A:

1. Whether the agency is governed by civil service rules;

2. A description of the agency's application process, to include when in the hiring process a formal application is submitted, and when appointment occurs if hired;
3. A description of the data used to determine any underrepresentation;
4. A detailed assessment as to whether representation has improved for any previously identified underrepresented groups;
5. Any new or modified Program goals to be implemented in the upcoming year.

***Publishing:*** The data collected pursuant to Section F. shall be published in the respective annual reports of each municipal and State law enforcement agency, and for county law enforcement agencies, in the annual report of the County Prosecutor with jurisdiction over that agency.

1. Each law enforcement agency shall update the description of its Program on the agency's official Internet website accordingly, at least after each annual reporting.
2. The Attorney General will gather the information provided under Section III and assemble it into an annual report to be issued to the Governor, the President of the Senate, and the Speaker of the General Assembly, and to be posted on the official Internet website of the Department of Law and Public Safety by April 30 of each year.

The Attorney General's annual report will distinguish between jurisdictions governed by Civil Service rules and those that are not.

#### **G. OTHER PROVISIONS:**

***Non-enforceability by third parties.*** Nothing in these Guidelines shall be construed in anyway to create any substantive right that may be enforced by any third party.

***Questions.*** Any questions regarding these Guidelines or their implementation should be directed to the Director of the Division of Criminal Justice, or their designee.