

JOPLIN POLICE DEPARTMENT

HONOR COURAGE COMMITMENT SERVICE

CHIEF OF POLICE  SLOAN A. ROWLAND

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PROPOSAL

Recruitment Incentive Program



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RECRUITMENT INCENTIVE PROGRAM

Background

In May of 2021 the Joplin City Council passed Council Bill 2021-603 Authorizing the implementation of a recruitment incentive for lateral police applicants in the amount of \$5,000, along with a referral incentive of \$1,000 for eligible City employees who refer a lateral applicant to the City.

This proposal has been updated for consideration of an increase in the amounts for a lateral applicant (\$10,000), and an increase for eligible employees that refer a lateral applicant (\$2,000). We hope this change in the program will motivate continued recruitment by city employees, as well as entice additional lateral police applicants to join the Joplin Police Department.

Over the last decade, the Joplin Police Department has experienced severe levels of attrition within its ranks. This has been due to terminations (both voluntary and involuntary), transfers to other city positions, and retirements. The police department has experienced a high turnover rate since 2012. The ability to recruit, hire and retain officers has also been a difficult and troubling task. Controversial events and the national rioting against law enforcement in 2020, coupled with a growing “defund the police” movement, has exacerbated the problem of hiring quality officers nationwide. While the Joplin Police Department is allotted 110 sworn officer positions, there are currently only 83 officers available for duty (4- light duty/injury, 8- in training, 3- in MSSU academy, 12- position vacancies). There is also one retirement scheduled for April 7, 2022, and a pending resignation for April 9, 2022, as well as two retirements late summer.

Need for Lateral/POST Certified Officers

The Joplin Police Department is in dire need of officers who are P.O.S.T. certified (have their Missouri Peace Officer License) and/or have law enforcement experience from another agency and meet Missouri eligibility requirements to take and pass the Missouri Police Officer Licensing Exam. This is based on several facets:

- 1) The hiring process for police officers takes place over a 3-to-4-month time period in order to accommodate all phases of testing and hiring. The hiring process includes interviews, background investigation, polygraph and psychological examinations, as well as physical and drug screening processes.

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- 2) Officers who do not have their P.O.S.T. certification and/or law enforcement experience at other agencies must attend a Law Enforcement Academy in the State of Missouri. The academy is a 600 hour training academy that is spread over a 5 month period that is equivalent to a full college semester. This is followed by a 7 week in-house training academy at the Joplin Public Safety Training Facility. Once this is complete, the trainee enters their field training and spend 16 weeks in “on the job” training, which is broken into 4 phases. Therefore, it takes a non-P.O.S.T. certified officer over a year before they are hired and fully trained in order to work as a solo police officer for the Joplin Police Department.
- 3) P.O.S.T. certified and/or employees with law enforcement experience only undergo the 7-week in-house academy, followed by their field training program, which can be shortened based upon their experience and aptitude. P.O.S.T. certified officers or applicants with prior law enforcement experience may be available to work as solo officers in as little as 6-7 months (half the time of a non-P.O.S.T. applicant or applicants with previous law enforcement experience that have allowed their certifications to lapse).
- 4) P.O.S.T. certified applicants and officers who have previously worked in law enforcement bring certification and experience with them. Experience is crucial in a profession that consistently requires officers to make critical decisions, some of them being a matter of life and death, in a very short time frame. Certification also negates the need to send applicants through basic law enforcement academy training.
- 5) Hiring non-POST certified applicants requires the City of Joplin to send those employees to a law enforcement academy. The city currently pays \$7,791.98 for academy fees per employee.

PROPOSAL

Currently, staffing within the Joplin Police Department is at a critical stage. A new and unique manner of bringing experienced employees is needed to help solve this complex issue. The implementation of a Recruitment Incentive Program will help attract lateral applicants for the position of Police Officer, which is one of the most difficult-to-fill positions in the City of Joplin. This program would allow all city employees an opportunity to help promote the City by having an active role in attracting applicants to this organization.

Recruitment Incentive Defined

JOPLIN POLICE DEPARTMENT

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The proposal is comprised of two separate components, with one being aimed towards potential applicants and the other directed towards current city employees.

-Applicant Incentive

The applicant incentive offers a \$10,000 payment to lateral police applicants who complete the following:

- 1) Complete a City of Joplin application for employment.
- 2) Complete all stages of the LATERAL police officer hiring process
- 3) Complete all In-House Academy training
- 4) Complete all required phases of the Field Training Officer (FTO) program.

Lateral applicants who wish to participate in this program will be required to enter into an agreement with the City of Joplin. The lateral applicant will be expected to maintain employment with the City of Joplin for a minimum of two years.

The current standards and practices regarding lateral police officers and their compensation level will remain the same. If a lateral applicant fails to maintain employment for the two year period, he or she may be required to forfeit accrued leave hours.

Upon implementation, current city employees whose employment with the City of Joplin is terminated will not be eligible for the recruitment incentive payment until one full year following their termination date. Those employees may reapply within the one-year time frame as a lateral applicant but will not be eligible for the recruitment incentive payment program.

-Referral Incentive

The proposed referral incentive is to motivate and reward current city employees to actively recruit applicants for the lateral police officer position. This would only be for lateral police applicants who have previous law enforcement experience, are Missouri POST certified, and/or are currently enrolled and attending a Missouri POST approved law enforcement academy. A referral incentive of \$2,000 would be paid to the current city employee who recruits a lateral applicant only if the lateral applicant completes all requirements listed above. All city employees will be eligible (except for certain circumstances listed below under “restrictions”) as this will be a force multiplier for the JPD recruiting team.

To evaluate the effectiveness of this program, it is recommended that a review of this program occurs on an annual basis. Should this program address the staffing difficulties of the Joplin Police Department, there may be point in time where this program is no longer needed and could be discontinued.

Eligibility

JOPLIN POLICE DEPARTMENT

HONOR COURAGE COMMITMENT SERVICE

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-Applicant Incentive:

-Any applicant who:

- 1) Currently has passed the Missouri Peace Officer License Exam and has their Missouri Peace Officer License
- 2) Has previously worked in the position of Police Officer for a law enforcement agency in the last 5 years and meets the Missouri eligibility requirements to take and pass the Missouri Police Officer Licensing Exam.
- 3) Currently enrolled and attending a P.O.S.T. approved law enforcement academy.

-Referral Incentive:

- All full-time employees (both exempt and non-exempt) are eligible to receive the recruitment incentive for the referral of a lateral (P.O.S.T. certified, prior law enforcement experience, and/or current academy student) applicant. Certain positions would be ineligible in order to maintain integrity within the program. Those positions are listed below under “restrictions”

-In order to receive the referral incentive, the lateral applicant must complete the following:

- 1) Complete a City of Joplin application for employment and,
- 2) Complete all stages of the lateral police officer hiring process and,
- 3) Complete all In-House Academy training and all required phases of the Field Training Officer (FTO) program.

Only one City of Joplin employee per applicant may receive the referral incentive. The referral incentive will only be paid to the first employee listed on the City of Joplin job application form (both print and online) in the referral source section. The lateral applicant must list the employee making the referral at the time of application as he or she cannot add that information after the application has been submitted and received. The referral incentive will only be paid after the lateral applicant completes all requirements of the applicant incentive (stipulations in the agreement). Eligible employees will be required to sign an agreement with the city recognizing their recruitment efforts and eligibility to receive the referral incentive payment. Employees will not be eligible for the referral incentive if the applicant is an immediate relative of that employee.

Restrictions:

As a matter of integrity and safeguards for the recruitment incentive program, the following restrictions are recommended:

- 1) Employees in the following positions shall not be eligible to receive the referral incentive:
 - a. Chief of Police, Assistant Chief of Police, any Police Captain or other supervisor who has an active role in the vetting, interviewing and hiring recommendation process of prospective employees
 - b. Any member of the Joplin Police Department recruiting team
 - c. Any member of the Human Resources Department

JOPLIN POLICE DEPARTMENT

HONOR COURAGE COMMITMENT SERVICE

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www.joplinpolice.org

- d. Finance Director
 - e. City Manager & Assistant City Manager
 - f. Immediate relative of the applicant
- 2) Background investigators shall not be assigned to investigate any applicant in which they have been listed as a referral source.
 - 3) Polygraph examiners shall not be assigned to conduct polygraph examinations of any employee in which they have been listed as a referral source.

Legal

In order to be successful and compliant with laws and regulations, the recruitment incentive program detailed above was constructed and brought forth with the following legal issues in mind:

Article III, Section 39 of the Missouri Constitution states:

“The general assembly shall not have power: To grant or to authorize any county or municipal authority to grant any extra compensation, fee or allowance to a public officer, agent, servant or contractor after service has been rendered or a contract has been entered into and performed in whole or in part”

Additionally, an official opinion (opinion 72-1955) written by Missouri Attorney General John M. Dalton on June 14, 1955 states:

“The Constitutional provision prohibits the General Assembly from granting extra compensation, fees or allowances to a public officer, agent or servant after service has been rendered. Likewise, a government agency which derives its power and authority from the Constitution and laws of this state would be prohibited from granting extra compensation in the form of bonuses to public officers or servants after the service has been rendered.”

Therefore, it is understood that “bonuses” in the State of Missouri are not legal and not authorized. However, the recruitment incentive program is not considered a “bonus”. This reasoning is based on the following:

- 1) It is recommended that the compensation payment to a LATERAL applicant be made only as a condition of an employment contract entered into between the City of Joplin and the LATERAL applicant. If the contract specifically stipulates the requirements of the applicant and all of those requirements are achieved, then the applicant has fulfilled the obligations of the contract and are entitled to the contractual compensation listed, and no more. Any additional payment above what is listed in the employment contract could be considered a violation of the Missouri Constitution Article III, section 39.

JOPLIN POLICE DEPARTMENT

HONOR COURAGE COMMITMENT SERVICE

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- 2) The referral incentive for city employees is specifically based on a performance measure that must be clearly defined, outlined and disseminated to all city employees. We are asking for city employees to actively recruit people to come and work for the city of Joplin. If a city employee is active in recruiting employees for difficult to fill positions, such as a Police Officer, then that work, or performance, should be rewarded. But, as mentioned above, this would only take place after the applicant meets all of the prescribed and contractual requirements.

These two points are consistent with recent statements made by the Missouri State Auditor Nicole Galloway. In an audit report published in March of 2017, Auditor Galloway was quoted as saying “While the use of an incentive program may be allowable if implemented and executed appropriately, the absence of consistent documentation about performance goals to be met and the lack of defined objective criteria to determine the achievement of incentives gives the appearance the payments represent additional compensation for past performance”. In a news article on this audit, Auditor Galloway was also quoted as saying “In other words, incentives are predetermined in an employment contract and have specific requirements to be met in order to receive payments. Bonuses reward extra compensation for work the employee was already expected to perform.”

In addition, this exact program is currently being utilized by the City of St. Louis, however they have expanded the program to include other positions that have been deemed as “hard to fill”. The City of St. Louis implemented this program in September of 2019 and in conversations with their personnel department, this program has been very effective and beneficial for their city.

Other cities also actively use their own form of recruitment incentives to attract Police Officer applicants. The following are only a few examples of what some other agencies in the State of Missouri currently offer:

- Hannibal Police Department- \$2,000
- Excelsior Springs Police Department- \$2,250
- Riverside Police Department- \$10,000 (POST certified) & \$5,000 (non-POST certified)
- Springfield Police Department - \$10,000
- Independence Police Department - \$10,000

The City of Columbia has also implemented a different version of their own recruitment incentive program. Their program utilizes city funding to provide rent and down payment assistance to newly hired officers and firefighters (hard to fill positions).

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Conclusion

The implementation of this recruitment incentive program is needed to help address growing issues with the hiring of police officers. This is an issue nationwide, not just in the City of Joplin. Providing additional compensation incentives will help attract experienced Police Officers to the City of Joplin. By hiring officers with experience and their POST certification, it results in a major cost savings to the City of Joplin, it's citizens and taxpayers of Joplin. In addition, this program would comply with all legal requirements regarding additional compensation of government employees. It is anticipated that the Joplin Police Department will be able to attract talented and experienced officers and bring the agency back to full staff in a shorter amount of time.