

146046



THE AMERICANS WITH DISABILITIES ACT
SELECTED READINGS
for
CRIMINAL JUSTICE POLICYMAKERS

U.S. Department of Justice
National Institute of Justice

146046

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Points of view in these documents are those of their authors and do not necessarily represent the official position of the United States Department of Justice.



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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SACRAMENTO, CALIFORNIA 95816-7083

May 21, 1992

BULLETIN: 92-16

SUBJECT: THE AMERICANS WITH DISABILITIES ACT OF 1990: QUESTIONS
AND ANSWERS

Since its passage in July 1990, the federal Americans with Disabilities Act (ADA) has generated considerable interest on the part of employers and educational institutions alike. The attached publication attempts to address many questions and concerns related to the employment and training of individuals, particularly peace officer applicants, with disabilities.

The publication draws heavily from Title I (Employment) and Title II (Public Accommodation) of the ADA itself (19 USC 711), as well as the associated regulations for Title I (29 CFR Part 1630) and the recently-issued Technical Assistance Manual, both published by the Equal Employment Opportunity Commission (EEOC). Anyone with direct involvement in the employment or training of individuals with disabilities is encouraged to acquire these documents (see Section XVII: Resource Information for information on ordering).

More detailed guidance involving the conduct of medical pre-employment screening of peace officer candidates will be included in the forthcoming revision of POST's *Medical Screening Manual for California Law Enforcement*, to be published in late summer of this year. In addition, the EEOC is scheduled to expand their compliance manual later this year to include more information on ADA issues such as pre-employment inquiries, accommodation, etc.

For more information on the ADA or other related matters, please contact the Standards and Evaluation Bureau at (916) 739-3872.

Handwritten signature of Norman C. Boehm in cursive.

NORMAN C. BOEHM
Executive Director

Attachment

- e. **Physical Agility Tests:** The EEOC has determined that physical agility tests are not medical exams, and so may be given at any point in the selection process. However, the tests must be given to all applicants, regardless of disability. In addition, if the test screens out individuals with disabilities, it must be demonstrated that it is job-related and consistent with business necessity, and that satisfactory performance on the test cannot be achieved with reasonable accommodation.

If an applicant or student (employed or nonaffiliated) is given a physical agility test at the pre-offer stage, only very limited medical screening is allowable in order to assure that the test will not harm the applicant. The employer can request that applicants (and/or their physicians) respond to a very restricted inquiry which describes the physical demands of the test and asks: "Can this person safely perform this test?" It is also permissible to ask if an individual requires a reasonable accommodation in order to safely perform the test.

X. Pre-Employment Medical Examinations

51. Are there limits on the conduct of the medical screening examination, as long as it is performed post-offer?

Yes. They include:

- a. All applicants for a given job must be subjected to the same examination.
- b. The medical examiner can ask any questions or perform any exam s/he sees fit; however, disqualifications resulting from the exam must be job-related and consistent with business necessity (and show that no reasonable accommodation exists to enable the individual to perform the essential functions of the job).
- c. Information obtained during the course of the exam must be treated as confidential (see question #56).

52. If all applicants must be subjected to the same medical examination, does this mean that referrals to specialists and other, more in-depth probes into an individual's medical condition are prohibited?

The ADA does not require that the scope of medical examinations be identical. An employer may give follow-up tests or examinations where an examination indicates that further information is needed.

53. How should decisions resulting from the medical examination be made?

Consistent with existing California regulations, decisions regarding an applicant's medical fitness for the job must be based on *individualized assessment* rather than on uniform application of categorical criteria. That is, a physician's evaluation of a candidate should factor in information from the physical examination, record review, personal history information, etc. The physician must also be supplied with an adequate description of the essential job functions so that s/he can assess the ability of the candidate to safely perform these duties, given what was revealed during the examination. Armed with this information, the physician should then make a determination as to whether the candidate can perform the essential job functions, and can do so in a manner that will not pose a "direct threat" to the individual or others (see Section XI).

Physicians should also identify any restrictions or accommodations that would allow a disabled candidate to perform the essential job functions. The responsible agency administrator should then evaluate the agency's ability to reasonably accommodate the candidate by allowing him/her to work within these restrictions. For example, if the physician indicates that the individual should be restricted from working on either the swing or graveyard shifts, the administrator must determine if permitting this restriction would result in an "undue hardship" for the agency (see Section VI: Undue Hardship).

XI. Direct Threat

54. What constitutes a "direct threat?"

The EEOC regulations define direct threat as a "significant risk of substantial harm" to the health or safety of the individual or others that cannot be reduced by reasonable accommodation. Determining whether an individual poses this level of risk must be made on a case-by-case basis. First, the employer must identify the specific risk(s) posed by the individual. For individuals with mental or emotional disabilities, specific behavior(s) that would pose the threat must be identified. For individuals with physical disabilities, the specific aspect of the disability (e.g., bouts of incapacitation) must be identified.

Unfortunately, no specific or concrete guidance has been provided regarding what constitutes a "significant risk of substantial harm." However, the following factors should be considered:

- a. The duration of the risk;
- b. The nature and severity of potential harm;
- c. The likelihood the potential harm will occur; and
- d. The imminence of the potential harm (future risk concerns are not allowed).

Consideration of these factors should be based on valid medical analysis and/or other objective evidence, rather than on stereotypic or patronizing assumptions, or generalized fears about the effect of the employment environment on the individual.

Note: According to the EEOC regulations, direct threat involves risk to others and oneself; however, the ADA itself only cites risk to others as a basis for establishing this affirmative defense. It is therefore advisable to focus on risk to others (vs. self) in decisions concerning health and safety threats posed by an individual protected by the ADA.

XII. Medical Examinations of Employees

55. Are medical examinations of incumbents permitted under the ADA?

Yes, if there is a legitimate need to determine whether an employee is still able to perform the essential functions of the job. A medical examination or inquiry is also permitted when an employee wishes to return to work after an injury or illness, if it is job-related and consistent with business necessity. Periodic physicals to determine fitness for duty or other medical monitoring are permitted as long as they too are job-related and consistent with business necessity.

The ADA also permits *voluntary* medical examinations, conducted as part of an employee health program. These programs can include screening for high blood pressure, weight control counseling, and cancer detection. It should be noted that the records that are developed as part of these programs must be maintained in a confidential manner.

56. What is required in terms of maintaining the confidentiality of medical records?

All medical information collected on applicants or employees must be maintained on separate forms and kept in separate medical files. The records must be treated as confidential, except that:

- (A) Supervisors and managers may be informed regarding necessary restrictions on the employee's work and duties and necessary accommodations;
- (B) First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
- (C) Government officials investigating compliance with the ADA must be provided relevant information.

**The Americans with Disabilities Act and Criminal Justice:
An Overview**

Prepared by

Paula N. Rubin

WHAT'S INSIDE:

- * ADA: The Basics
- * Defining Disability
- * Otherwise Qualified Individuals with Disabilities
- * Reasonable Accommodation, Undue Hardship and Direct Threat
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- * ADA's Impact on Criminal Justice: The Issues
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Preliminary Draft - Not for quotation or attribution.

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**THE AMERICANS WITH DISABILITIES ACT
AND CRIMINAL JUSTICE:
AN OVERVIEW**

by

Paula N. Rubin, Esq.

**PRELIMINARY DRAFT - NOT FOR QUOTATION OR
ATTRIBUTION**

Supported under award #92-IJ-CX-0009 from the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position of the U.S. Department of Justice.

THE AMERICANS WITH DISABILITIES ACT AND CRIMINAL JUSTICE: AN OVERVIEW

When President Bush signed into law the Americans with Disabilities Act (ADA) on July 26, 1990, a new era began in the quest to integrate persons with disabilities into the mainstream of society. The ADA is perhaps the most sweeping civil rights legislation passed since the enactment of the Civil Rights Act of 1964 nearly 30 years before.

This law is predicated on the belief that persons with disabilities have traditionally been isolated and segregated and that this discrimination took many forms, including: "outright intentional exclusion, the discriminatory effects of architectural, transportation and communication barriers, overprotective rules and policies, failure to make modifications to existing facilities and practices, exclusionary qualification standards and criteria, degradation, and relocating to lesser services, programs, activities, benefits, jobs, or other opportunities."¹

One purpose of the ADA is simple: "to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities."² The obvious goal is to provide the estimated 43 million persons with disabilities³ access to employment and public accommodations, such as restaurants, hotels, theaters, and shopping centers. To achieve this goal, the ADA contains five sections designed to eliminate barriers in the areas of employment, public services, transportation, public accommodations, and telecommunication.

The ADA was intended to pick up where the Rehabilitation Act of 1973 left off by expanding coverage to include employers not receiving Federal funds or working pursuant to a Federal contract. The ADA also covers access to the facilities and the delivery of services and programs by governmental agencies.

Overlooked and not fully considered during the drafting, negotiating, and lobbying of the ADA was its impact on the criminal justice system. "Law enforcement" is mentioned only once in the legislative history of the ADA and even that is only in reference to persons with a history of illegal drug use.⁴ Yet, the impact in criminal justice is major:

The ADA may very well be the most significant piece of legislation affecting law enforcement since the Civil Rights Act. It will cause police agencies throughout the United States, as well as other employers, to adjust and in some cases, completely overhaul their recruitment and selection procedures. Furthermore, if departments do not immediately develop changes in their personnel policies by the time the Act becomes applicable, they will expose themselves to substantial liability.⁵

Attempts to create an exemption for law enforcement were unsuccessful. Now, the way the criminal justice community selects its employees and delivers services to the public must be brought into compliance with the ADA. This includes an end to blanket exclusions of certain medical conditions or disabilities and now requires a selection process which deals with individuals on a case-by-case basis.

The requirements of the ADA present unique challenges for the criminal justice system. As pointed out by former New York City Police Commissioner Lee Brown in a letter to the Equal Employment Opportunity Commission (the "EEOC") in his capacity as president of the International Association of Chiefs of Police, "[W]e do...think that the extremely 'physical' nature of law enforcement work coupled with the 'security/integrity' needs inherent to the job, impart a special perspective to our analysis of the Act."⁶

Critical to beginning to develop strategies for the recruitment, screening and employment of police and corrections officers as well as for the delivery of services by criminal justice agencies is the need to have a working understanding of the law itself. This *Research in Brief* provides a framework within which to begin to assess the impact of the ADA on the criminal justice system. It is from this foundation that the implications for criminal justice can be seen and solutions to the issues it raises developed.

ADA's IMPACT ON CRIMINAL JUSTICE: THE ISSUES

Since the enactment of the ADA, criminal justice agencies have begun to apply these criteria in the context of how they operate, and to recognize the far-reaching implications of ADA for agency policies and procedures. At this juncture, there are more questions than answers about how to implement the ADA within the justice system.

The law affects virtually every facet of the application, screening, and selection process for corrections and law enforcement. Future *Research in Briefs* will examine these issues and explore solutions as answers emerge. In the meantime, careful consideration of actions is required as there are, as yet, no certainties about how the courts will interpret the ADA. As aptly put in the October 1991 issue of *Fire & Police Personnel Reporter*, "professionals can act only as weathervanes, and not forecasters." Among the questions that have been raised are the following:

Conditional Offer of Employment

1. What constitutes a conditional offer of employment?
2. How can a conditional offer be developed which is legally sound?
3. Under what circumstances may a conditional offer be withdrawn?
4. Can agencies develop a pool of qualified candidates from which to pick employees, both sworn and unsworn?
5. Must the existing pool of qualified candidates be hired before new candidates are put into or hired from the pool?

Medical Exams and Medical Inquiries

1. What constitutes a medical exam or inquiry?
2. What impact does this have on administering polygraph exams?
3. How does the ADA affect background checks, inquiries about attendance records, or workers' compensation history?
4. How can agencies effectively screen applicants while still making good-faith conditional offers of employment?

Psychological Exams

1. When may a psychological exam be given?
2. Is a psychological exam testing medical issues or common personality traits such as poor judgment or quick temper?

Agility Tests

1. Are agility tests considered medical exams?
2. What impact is there on applicants if incumbents cannot pass the same agility test? Does this create a new hiring standard?
3. If a test is administered there are different standards for new recruits than incumbents, does that dilute the job-related and business necessity argument for administering these exams?
4. What is the ADA's position on fitness for duty tests for incumbents?
5. If administered prior to extending a conditional offer of employment, what precautions can be taken to ensure that an applicant is fit enough to take the agility test?

Visual Acuity

1. Will stringent eye standards withstand the scrutiny of the ADA?
2. What impact will vision impairments or learning disabilities such as dyslexia have on the selection and training process?

Light Duty

1. What happens if an employee becomes disabled while employed?
2. What if the disability occurs in the line of duty?
3. Are agencies required to create permanent light duty positions?
4. If permanent light duty positions exist, what obligations exist to make the same or similar positions available to other employees? To applicants? Does this create new hiring standards?
5. If a light duty position is vacated, must it be made available to another person with a disability?

Drugs and Alcohol

1. What does the ADA mean by "current use"?
2. What constitutes the successful completion of a rehabilitation program?
3. What is meant by the terms "successfully rehabilitated"?
4. How long must an individual be drug free to no longer be a current user of illegal drugs?
5. What kind of documentation is appropriate to establish that an individual is successfully rehabilitated?
6. What about the impact of a former drug user with or without a criminal record on the security and integrity of the agency?

This *Research in Brief* is the first in a series planned to be published by the National Institute of Justice on the ADA and its implications for criminal justice. Future *Research in Briefs* will focus on critical issues facing criminal justice agencies dealing with the delivery of their services to the public as well as in their hiring, promotion, and firing practices.

ADA: The Basics

The ADA makes it illegal to discriminate against persons with disabilities. In the context of employment, these individuals are entitled to equal access to employment, including recruitment, hiring, promotion, and any other benefits and privileges of employment. To be "protected," (that is, covered by the Act) the individual must have a disability *but nevertheless be qualified for the job.*

A person is disabled under the law if s/he suffers from a mental or physical impairment which substantially limits a major life activity. Examples of a major life activity are walking, talking, breathing, sitting, standing, or learning. A person will also be considered disabled, for purposes of this law, if there is a record of such an impairment or s/he is perceived as having an impairment. Likewise, those associated with the disabled person are also entitled to certain protections. Thus, family members who need special consideration in caring for someone with a disability may be entitled to protection under the law.

Individuals with a disability must also be qualified for the position. To be qualified, the individual must satisfy the job requirements, such as education, experience, and skills and must be able to perform the essential functions of the job, with or without a reasonable accommodation.

A reasonable accommodation can include modifying existing facilities to make them accessible, job restructuring, part-time or modified work schedules, acquiring or modifying equipment, and changing policies. However, *reasonable accommodations will*

not be required when doing so causes an undue hardship for the agency or there is a direct threat of serious harm to the individual or to others.

Undue hardship means significant expense or difficulty. Not just money is involved; it can also mean disruption or fundamentally altering the nature or operation of the business or agency. Direct threat of serious harm is defined by the law as "a significant risk to the health and safety of others that cannot be eliminated by reasonable accommodation." Speculative or remote threats will not satisfy this requirement. Such a determination must be predicated on objective evidence. Subjective criteria will not suffice.

In addition to specifying the employment aspects of the law, Title II requires governmental entities to achieve accessibility to their facilities as well as in the delivery of services and programs. Accessibility encompasses new construction and the alteration of existing facilities. It can mean anything from adding curb ramps to creating parking spaces reserved for persons with disabilities.

Defining Disability

To be covered by the ADA a person must be disabled. The ADA defines disability in three ways and a person meeting any one of these criteria may be entitled to protection. Under this law, a person with a disability is someone who:

- has a physical or mental impairment that substantially limits one or more major life activities;
- has a record of such an impairment; or
- is regarded as having an impairment.

There are several key phrases in this definition: "impairment," "substantially limits," "major life activity," "record," and "regarded as." Understanding these concepts is essential to making an evaluation of whether someone is disabled for purposes of the ADA.

A threshold criterion which must be met under this definition is that there be an impairment. Simply stated, an impairment is "some sort of physiological disorder or mental disorder."⁸ This is true whether or not an individual uses an auxiliary aid or medication because of the disorder. For instance, someone who uses a hearing aid because of a hearing impairment nevertheless has a disability under the ADA even if the hearing aid restores the person's hearing to normal levels. Likewise, an insulin dependent diabetic whose diabetes is fully controlled by the insulin nevertheless has a disability under the law.

On the other hand, physical characteristics such as hair or eye color or lefthandedness do not constitute impairments. Similarly, certain personality characteristics such as a poor judgment, a bad temper, or lack of dependability are not considered disabilities.

Not all cases are clear cut. The EEOC's Technical Assistance Manual, Section 2.2(a)(i), provides a helpful example:

A person who cannot read due to a disability due to dyslexia is an individual with a disability because dyslexia, which is a learning disability, is an impairment. But a person who cannot read because she dropped out of school is not an individual with a disability, because lack education is not a disability.

Having a disability, in and of itself, is not enough; it must be a disability that substantially limits a major life activity. These types of activities include: walking, speaking, breathing, performing manual tasks, seeing, hearing, learning, caring for oneself, and working.⁹ Also considered major life activities are the ability to have intimate sexual relations and procreation. For this reason, those with AIDS or HIV disease will fall within the definition.

There are three criteria to consider when determining whether a major life activity is substantially limited:

- its nature and severity;
- how long it will last or is expected to last;
- its permanent or long term impact, or expected impact.¹⁰

A good rule of thumb is to look at the effect of the condition and not its name.¹¹ So, for example, "an individual with mild cerebral palsy that only slightly interferes with his/her ability to speak and has no significant impact on other major life activities is not an individual with a disability under this part of the definition."¹²

Even if an individual does not currently have a physiological or mental disorder, s/he may still be considered to have a disability under the three part definition. Those who have a record of an impairment are also protected from discrimination. This includes persons who have been erroneously classified as having an impairment. Remember, however, having a record of a disability, alone, will not satisfy the definition. The disability must have been one that substantially limited a major life activity.

A more subtle concept to grasp about the definition of disability is that part which protects those who are regarded as having an impairment. Individuals who qualify under this provision do not currently have a disability nor do they even have a record of a disability. Instead, these are persons perceived to have a disability.

How does this occur? Here are some examples provided in Section 2.2(c) of the Technical Assistance Manual:

- (1) A person has high blood pressure controlled by medication. Nevertheless, his employer places him on permanent light duty for fear of a possibility of a future heart attack. In this case, the person has a disability that does not substantially limit a major life activity, but his employer treats him as though it does.
- (2) Refusal to hire someone who has severe scars from burns. Here, there

is no disability nor a limitation of a major life activity. Instead, it is the fears, stereotypes, and attitudes of others toward these scars that are disabling.

- (3) Firing someone rumored to have HIV disease who, in fact, does not have the disease, may violate the law. Even though the individual does not have a disability, s/he is regarded as having a substantially limiting impairment.

There are very subtle differences between these examples. Indeed, they have been described as "all different sides of the same coin."¹³ The bottom line is that the ADA prohibits discriminating against someone who is being treated as if s/he has a disability.¹⁴

Who is not covered by the ADA?
The law explicitly excludes certain conditions from coverage, including homosexuality, transvestism, bisexuality, transsexualism, voyeurism, exhibitionism, pedophilia, sexual behavior disorders, compulsive gambling, kleptomania, pyromania, and gender identity disorders not caused by a physical impairment.

Persons with conditions which are temporary are also not usually found to have a disability under the definition. To make this determination, look to see whether there is an impairment which substantially limits one or more major life activities. An example offered by the EEOC is that of a broken leg. If it heals normally within a few months, there would be no disability. On the other hand, if the leg heals improperly, causing a permanent limp, or if the leg takes an abnormally long time to heal, during which time the person cannot walk, s/he might be considered to have a disability.¹⁵ Another temporary disability, pregnancy, is addressed in the Pregnancy Discrimination Act and is therefore not covered by the ADA.

Also specifically excluded from protection under the ADA are those who currently use illegal drugs. Those who are in

the process of, or who have successfully completed, a rehabilitation program may be protected by the law. This protection applies to those with an addiction to drugs or alcohol. It does not apply to the casual or recreational user of drugs or alcohol.

The issue of current drug use or prior drug history has significant implications for criminal justice agencies. Issues of as to what constitutes "current" drug use and what, if any, exemptions may be made for individuals with a history of drug use who are seeking sworn positions will form the basis of a future *Research in Brief*.

WHAT'S IN A NAME?

In 1973 when the Rehabilitation Act was signed into law, it used the term "handicapped" to describe persons with disabilities. Since that time, individuals with disabilities have indicated their preference for the term "disabled." Many terms used to describe certain disabilities invoke stereotypes and can be dehumanizing. Here are some terms to avoid with suggested substitutes.

AVOID...	INSTEAD SAY...
Handicapped, disabled	Person(s) with the invalid, disabilities
Victim of epilepsy, arthritis	Officer Smith has epilepsy; Lt. Jones has arthritis
Deaf-mute, deaf and dumb	Deaf, hearing impaired, speech impaired
Confined to a wheelchair, wheelchair bound	Wheelchair user, users of wheelchairs, mobility impaired
Cripple, crippled	Physically disabled, mobility impaired Use the name of the disability (e.g. polio)
Deformed	Physical disability
Retarded, slow, stupid	People with mental disabilities
Slow, stupid, illiterate	People with learning disabilities Officer Day has dyslexia
Spastic, fits	Seizures Captain Collins has epilepsy

Otherwise Qualified Individuals with Disabilities

Having a disability does not automatically entitle someone to protection under the ADA. *The ADA is not a guaranteed jobs law requiring criminal justice agencies to hire persons with disabilities.* Nor is it an affirmative action law requiring that preference be given to persons with disabilities over those who are not disabled. Under this law, employers may hire the most qualified candidate for the job.

The ADA does not safeguard a person with a disability unless the person is also otherwise qualified for the position. In evaluating whether a person with a disability is qualified for a job, two questions should be answered:

- (1) Does this person meet the initial job requirements, such as work experience, education, skills, certificates, or licenses?
- (2) If so, can the person perform the essential functions of the job, with or without reasonable accommodation?

In answering the first question, care must be taken to make sure that the specifications for the position are job-related and consistent with business necessity. For example, law enforcement agencies would most likely be permitted to require applicants and employees to have a driver's license, since operating a patrol car is an essential part of police work in most jurisdictions. On the other hand, driving a car is most likely not an essential part of the job of a corrections officer or administrative or clerical employees and so it might not be appropriate to include this requirement for these positions.¹⁶

Note that the purpose of the law is to integrate persons with disabilities into the work force. It is impermissible to attempt to subvert the intent of the ADA by imposing qualifications and job requirements which are not job-related or only relate to marginal functions of the job.

Persons with disabilities who meet the specified job requirements must also be able to perform the essential functions of the job with or without a reasonable accommodation. Making this determination also requires answering two questions:

- (1) Are the functions truly essential or are they marginal?
- (2) Can these essential functions be performed with or without a reasonable accommodation?

Identifying essential job functions involves looking at two considerations. First, whether employees in the position actually are required to perform the function and, if so, whether or not removing the function would fundamentally alter the job.

If the employer rarely requires a specific task, then it may not be appropriate to list the task as an essential job function. In that case, the employer would need to demonstrate that, although the function is rarely performed, to eliminate it would be to fundamentally alter the nature of the job.

For example, even if 99 percent of police officers rarely make forcible arrests, departments which can show that the consequences would be significant if a police officer were not able to do so may establish this as an essential function of the job. Likewise, although a pilot may only spend a few minutes landing a plane, the serious consequences of not being able to do so justify making this requirement an essential function.

Again, there are no clear cut answers regarding essential functions. Answers will vary not only from job to job, but from department to department as well. The size and location of the agency may play a role in this assessment. Here are three reasons offered by the EEOC as to why a job function may be essential:

- The position exists to perform the function.

- There are a limited number of other employees available to perform the function, or among whom the function can be distributed.
- A function is highly specialized, and the person in the position is hired for special expertise or abilities to perform it.¹⁷

What factors may be used in determining the essential function of a particular job? Section 2.3(a) of the Technical Assistance Manual gives guidance:

- The employer's judgment (while the employer may not be second guessed, other factors will also be regarded),
- A written job description prepared before advertising or interviewing for a job (this is not required under the ADA, but it is a good idea to have one which accurately reflects the true nature of the job and is created in advance of the screening and selection process),
- The amount of time spent performing the function (the example of the pilot, used above, might apply to this factor),
- The consequences of not requiring the person to perform this function (the example of the police officer used above might apply here),
- The terms of a collective bargaining agreement,
- The work experience of people who have performed the job in the past and work experience of people who currently perform similar jobs (it is a good idea to talk with employees who have performed the job in the past as well as those who are doing the job now - do not presume to know what a job involves, ask the people who are doing it), and
- Other relevant factors (this can include the kind of services provided

by the employer or the organizational structure of the agency).

The bottom line is that there should not be job requirements that have the practical effect of imposing a blanket exclusion of a particular disability or class of persons. The ADA requires that decisions be made on a case-by-case basis.

What happens if an otherwise qualified person with a disability cannot perform an essential function of the job unaided? In that event, a determination must be made as to whether a reasonable accommodation exists which will allow the individual to perform the function.

Reasonable Accommodation, Undue Hardship, and Direct Threat

If an otherwise qualified individual with a disability cannot perform the essential functions of the job, the employer may be obligated to provide a reasonable accommodation. However, an "employer has no duty to accommodate an employee with a disability unless the accommodation will enable the employee to perform the essential functions of the position."¹⁸ "Reasonable accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity."¹⁹

An employer's duty to reasonably accommodate individuals with disabilities applies to all aspects of employment. This includes the application and selection process, an employee's ability to perform the essential functions of the position currently held as well as those desired within the department, and the benefits and privileges other employees without disabilities enjoy.

This duty, however, only applies to known physical or mental impairments. It is usually the responsibility of the person needing an accommodation to request one. But, even when an accommodation is not requested, it is advisable for employers to be

proactive in initiating discussions on this subject. An employer's applications, test announcements, or advertisements may request persons with disabilities requiring an accommodation to inform the employer within a reasonable time prior to applying or interviewing for a position or taking an examination.²⁰

Here are five tips on reasonable accommodation offered by the EEOC in Section 3.4 of the Technical Assistance Manual:

- A reasonable accommodation must be an effective accommodation.
- The reasonable accommodation obligation applies only to accommodations that reduce barriers to employment related to a person's disability; it does not apply to accommodations that a disabled person may request for some other reason.
- A reasonable accommodation need not be the best accommodation, as long as it is effective for that purpose.
- An employer is not required to provide an accommodation that is primarily for personal use.
- An individual is not required to accept an accommodation if the individual has not requested an accommodation and does not believe that one is needed.

When is an accommodation effective? When it enables the person to perform the essential functions of the job. The accommodation does not have to guarantee equal performance results or provide identical benefits of employment. The accommodation should avoid limiting, segregating, or classifying the individual.

What happens if an applicant or employee refuses an accommodation? Remember, employers are not required to provide the accommodation the person requests, although where possible it is

advisable to do so. The employer does not even have to provide the best accommodation. The accommodation must be effective in helping the individual perform the essential functions of the job. If the individual chooses not to accept this accommodation, s/he runs the risk that doing so will render her/him unable to carry out the essential functions of the job. When that happens, the individual is no longer "otherwise qualified" for the position.

Section 3.5 of the EEOC's Technical Assistance Manual offers ten examples of reasonable accommodations. These are examples only and are by no means meant to be construed as an exhaustive list. Moreover, since the same disability can manifest itself very differently in two different people, accommodations require a case-by-case determination.

EEOC's examples of reasonable accommodations:

- (1) **Making Facilities Accessible and Useable.** For instance, providing designated parking spaces for those with disabilities.
- (2) **Job Restructuring.** This does not include reassigning essential functions of the job. It can include exchanging marginal functions, or changing how and when essential functions are performed.
- (3) **Modified Work Schedules.** This might include part-time work.
- (4) **Flexible Leave Policies.** Accommodations do not include paid leave, but could include using accrued leave, advanced leave, or leave without pay.
- (5) **Reassignment to a Vacant Position.** This is new to the ADA and applies to incumbents only and not to applicants.
- (6) **Acquisition or Modification of Equipment and Devices.** Examples include TDDs (telecommunications

for the deaf) and apply to job-related equipment only. Employers are not required to provide devices for the personal use of the individual.

- (7) **Adjusting and Modifying Examinations, Training Materials, and Policies.** This includes using training sites that are accessible.
- (8) **Providing Qualified Readers.** This does not mean two people must be hired to do one person's job.²¹
- (9) **Providing Qualified Interpreters.** This can be done on an as-needed basis.
- (10) **Other Accommodations.**

There may be times, however, when providing an accommodation will not be required. Obviously, no accommodation is required when it would not enable the individual to perform the essential functions of the job.

Likewise, no reasonable accommodation will be required if it would impose an undue hardship on the employer or create a direct threat to the health and safety of the employee or others.

The ADA defines undue hardship as "significant difficulty or expense." Determinations as to whether or not an undue hardship exists must be made on a case-by-case basis. What may be an undue hardship for one criminal justice agency may not be a hardship for a different agency in different circumstances. Accommodations may constitute undue hardship if they are unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the agency.²²

"An undue hardship may be something less than a cost that would drive the employer to the verge of going out of business, but at the same time it must impose more than a negligible cost."²³

Direct threat is a significant risk of substantial harm based on objective evidence

and not mere speculation. It cannot be predicated on some remote possibility in the future but must be a present risk. Employers are required to reduce or eliminate the risk with an accommodation. When this is not possible, then a refusal to hire due to direct threat may be appropriate.

When deciding what accommodation to provide, the best place to start is with the person requiring the accommodation. Often s/he will know what accommodation will work and how to obtain that accommodation in as cost-efficient a way as possible. It may also be a good idea to consult with other employers and local vocational rehabilitation agencies. The Job Accommodations Network (JAN) is an information and reference service that suggests accommodations. JAN may be reached at 1-800-ADA-WORK.

Accessibility to Programs and Services

The ADA not only addresses how criminal justice agencies are to treat their own employees; under Title II, but also governs how they are to treat members of the general public who may have a disability as well. While Title II went into effect on January 26, 1992, many of its provisions have been in effect for nearly twenty years under Section 504 of the Rehabilitation Act of 1973. The ADA merely expands coverage to all programs. However, a significant consequence of the ADA was to bring to the attention of the public at large the rights of those with disabilities to enjoy equal employment opportunity as well as equal access to programs and services.

Title II applies to any governmental agency regardless of its size and requires the agency to make sure that its programs, services and activities are accessible to persons with disabilities. This affects two areas: (1) the services and programs delivered by the agency, and (2) physical access to the facilities where these programs, services and activities are offered.

What does this requirement involve? To know if the agency is meeting the requirements of the ADA, examine the programs, services, and activities in their entirety and ask the following questions:

- Are any modifications to the agency's policies, practices, or procedures necessary to ensure accessibility?
- Are there any eligibility criteria which eliminate or tend to screen out an individual with a disability from enjoying the benefits of these programs, services, or activities?
- Do any policies or practices segregate persons with disabilities from others participating in these programs, services, or activities?
- Are any of these programs, services, or activities delivered at a location or facility that has the effect of denying persons with disabilities the right to enjoy the benefits of these programs, services, or activities?
- If alternative services are offered to persons with disabilities, are these benefits unequal to those offered to the public at large?

If the answer to any of these questions is "yes," the agency may need to revise the way it offers its programs, services, and activities. Modification will not be necessary, however, if doing so fundamentally alters the nature of the program, service, or activity or causes an undue burden. Undue burden under Title II is analogous to undue hardship under Title I, and means "significant difficulty or expense...taking into account such factors as the nature and cost of the action, the financial resources of the site or a parent organization, the relationship of the site to the parent organization, and the type of the parent organization."²⁴

Is it always illegal to have discriminatory practices or policies? Obviously not. An agency is allowed to take into account the safety of the public. So, for

example, restricting persons with heart disease from riding on a roller coaster at a county fair might be a permissible rule with a discriminatory effect.

What about physical access to the facilities? Are criminal justice agencies expected to rebuild or renovate their facilities? The answer is a qualified "no." Criminal justice agencies are not expected to "retrofit" their existing buildings. Nor are they expected to alter historical landmarks. A rule of thumb is to look at the program, not the building. Is it possible to change the way the program is delivered rather than the building? Examples include moving the program or service to an accessible part of the building, such as the first floor, providing home delivery of the service, or calling the person with the disability. If so, then remodeling the delivery of the service rather than the building it is delivered in may suffice. A little creativity can go a long way in complying with this part of the ADA.

New construction or alterations to existing buildings, however, must comply with the ADA. The Architectural and Transportation Compliance Board (the "Access Board") will be issuing accessibility guidelines for State and local governments. Indeed, these guidelines are expected to have special considerations for courthouses and correctional facilities not originally contemplated. Until these guidelines are issued, however, agencies may choose between two different sets of architectural standards: the Uniform Federal Accessibility Standard (UFAS) or the ADA Accessibility Guidelines (ADAAG).

What must be done at the administrative level to comply with this part of the ADA? Several things. Some of these administrative requirements will only apply to entities with 50 or more employees. A word of caution on calculating the number of employees. The size of a particular police department, for example, will be computed based on the number of employees not only in the department, but in the city or county in which it operates as well. Therefore, only the smallest of jurisdictions will be exempt from most administrative requirements.

LEGAL EASE

The ADA uses numerous terms to describe its requirements and the obligations of those covered by the law. Here is a brief index and short explanation of some of the key words and phrases commonly used in the ADA.

DISABILITY - (1) A mental or physical impairment that substantially limits a major life activity; (2) a record of such an impairment; (3) being regarded as having such an impairment.

IMPAIRMENT - A physiological or mental disorder.

SUBSTANTIAL LIMITATION - When compared to the average person: (1) an inability to perform a major life activity; (2) a significant restriction on how or how long the activity can be performed; or (3) a significant restriction on the ability to perform a class or broad range of jobs.

MAJOR LIFE ACTIVITY - Basic functions that the average person in the general population can do with little or no difficulty such as walking, seeing, hearing, breathing, speaking, procreating, learning, sitting, standing, performing manual tasks, working, or having intimate sexual relations.

OTHERWISE QUALIFIED - A person with a disability who satisfies all of the requirements of the job such as education, experience or skill and who can perform the essential functions of the job with or without reasonable accommodation.

ESSENTIAL FUNCTIONS - The fundamental, not marginal, duties of a job.

REASONABLE ACCOMMODATION - A change in the application process, work environment, or job descriptions or the use of modified or auxiliary devices that enable a person with a disability to perform the essential functions of the job without causing an undue hardship or direct threat to the health and safety of her/himself or others.

UNDUE HARDSHIP - Significant difficulty or expense relative to the size and overall financial resources of the employer.

DIRECT THREAT - A significant risk of substantial harm based on valid, objective evidence and not mere speculation.

What are these requirements?

- Self-evaluations of programs, services and activities delivered should be conducted and a study made of whether the policies and practices prevent persons with disabilities from enjoying the benefits and privileges of them. For entities with 50 or more employees, the self-evaluation must be completed by January 26, 1993 and be made available to the public for three years.
- Transition plans for entities with 50 or more employees are required if structural changes are necessary.
- Public notice should be given to all interested parties of their rights and protections under the ADA. This notice can include signs, posters and pamphlets and should be made in accessible formats.
- ADA compliance officers should be designated for entities with 50 or more employees as the contact point for individuals who need information on the ADA and to assist in the education of employees in the law.
- A grievance procedure should be created and implemented for entities with 50 or more employees to handle the receipt and processing of complaints as well as their resolution.

ENDNOTES

1. ADA Section 12101(a)(5).
2. ADA Section 12101(b)(1).
3. ADA Section 12101(a)(1).
4. Appro Exchange, "Get Ready for the Disabilities Act," July 1991, p. 7, reprinted from the *Law Enforcement News*, a publication of John Jay College of Criminal Justice, New York, New York.
5. Schneid, T., and Gaines, L., "The Americans with Disabilities Act: Implications for Police Administrators," *Police Liability Review*, Winter 1991, p. 4.

6. Brown, Lee, "Model Response to EEOC's Regulations Governing the Americans with Disabilities Act(ADA)," unpublished memorandum by the International Association of Chiefs of Police to its membership, April 3, 1991.
7. EEOC's Technical Assistance Manual ("TAM"), Section 2.2.
8. Feldblum, C., "The Americans with Disabilities Act: The Definition of Disability," 7 *The Labor Lawyer* 11 (1991).
9. TAM, Section 2.2(a)(ii).
10. TAM, Section 2.2(a)(iii).
11. TAM, Section 2.2(a)(iii).
12. Id.
13. Feldblum, p. 16.
14. Id.
15. TAM, Section 2.2(a).
16. Snyder, D. The Americans with Disabilities Act, Labor Relations Information System (1991), p.82.
17. TAM, Section 2.3(a).
18. TAM, Section 3.1.
19. Fitzpatrick, R., "Reasonable Accommodation and Undue Hardship Under the ADA," *Federal Bar News & Journal*, January 1992.
20. Snyder, p. 177.
21. Id., p. 167.
22. TAM, Section 3.9.
23. Fitzpatrick, p. 73.
24. Bureau of National Affairs, *Americans with Disabilities Manual (ADAM)*, (Washington, D.C., monthly), Section 40:0006.

**Law Enforcement Employment Practices Under Title I of the
Americans with Disabilities Act**

Prepared by

Jeffrey Higginbotham

WHAT'S INSIDE:

- * Definitions
- * Prohibited Acts
- * Defenses Available to Employers
- * Suggestions to Ensure Compliance with Title I of the ADA

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Society of Former FBI Agents
National Law Enforcement Intelligence Units

Law Enforcement Employment Practices under
Title I of the Americans With Disabilities Act

I. Definitions

1. "Qualified Individual with a Disability"

- a. Impairment = physiological or psychological condition or disorder affecting a body system, but does not include characteristics or traits such as eye color; hair color; handedness; height, weight and muscle tone within normal ranges and not the product of some other physiological condition; poor judgment; predisposition to illness; quick temper; or environmental, economic or cultural disadvantages.
- b. Disability = physical or mental impairment that substantially limits a major life activity through an actual impairment, a record of such an impairment or regarded as having such an impairment.
 - (1) Substantially limits a major life activity means unable to perform an activity such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working, to the same extent as the average person.
 - (2) If person substantially unable to perform any major life activity other than working, there is no need to determine if he/she is also limited in the ability to work.
 - (3) Persons with the following are excluded from coverage: Current drug users, homosexuals, bisexuals, transvestites, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders, sexual behavior disorders, compulsive gambling, kleptomania, pyromania and psychoactive substance use disorders resulting from current illegal drug use.
 - (a) "Current drug use" applies to the illegal use of drugs that has occurred recently enough to indicate that the individual is actively engaged in such conduct. Employers may seek reasonable assurances of no current drug use, including asking the applicant/employee to show participation in a drug

treatment program or results of a drug test.

- (b) "An employer, such as a law enforcement agency, may also be able to impose a qualification standard that excludes individuals with a history of illegal use of drugs if it can show that the standard is job-related and consistent with business necessity."
 - (c) "[I]f an individual had a record of casual drug use, s/he would not be protected by the ADA, because casual drug use, as opposed to addiction, does not substantially limit a major life activity." EEOC Technical Assistance Manual, Sections 2.2(b) and 8.7.
- (4) "An alcoholic is a person with a disability under the ADA and may be entitled to consideration of accommodation, if s/he is qualified to perform the essential functions of a job. However, a employer may discipline, discharge, or deny employment to an alcoholic whose use of alcohol adversely affects job performance or conduct to the extent that s/he is not 'qualified.' For example: If an individual who has alcoholism often is late to work or is unable perform the responsibilities of his/her job, a employer can take disciplinary action on the basis of the poor job performance and conduct. However, a employer may not discipline an alcoholic employee more severely than it does other employees for the same performance and conduct." EEOC Technical Assistance Manual, Section 8.4.

c. Qualified individual is one who:

- (1) Meets all the job requirements not related to physical abilities such as age, education, work experience, training, skills, licenses, certificates, or other job-related requirements such as good judgment or ability to work with other people. EEOC Technical Assistance Manual, Sections 2.3 and 4.4.
- (2) Can perform the essential functions of the job, with or without reasonable

accommodation. Essential functions are determined according to the following factors:

- (a) Whether the position exists to perform that function;
- (b) There are a limited number of employees among whom the function may be distributed;
- (c) The function is highly specialized and requires expertise or special ability;
- (d) The employer's judgment;
- (e) Written job descriptions;
- (f) The number of people available to perform the function;
- (g) The collective bargaining agreement;
- (h) The amount of time actually spent doing the task;
- (i) The consequences if the task is not performed; and
- (j) The experience of past and present job incumbents.

(3) "A police department that requires all its officers to be able to make forcible arrests and to perform all job functions in the department might be able to justify stringent physical requirements for all officers, if in fact they are all required to be available for any duty in an emergency." EEOC Technical Assistance Manual, Section 4.4.

2. Prohibited Acts --

- a. "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions and privileges of employment."
- b. No employer can conduct a medical examination or

make inquiries of a job applicant concerning the nature or severity of a disability unless a offer of employment (which may be conditioned upon the successful completion of the medical or other remaining selection processes) has been made and a similar medical examination is required of all new employees and the results are treated confidentially (i.e., separate file).

- (1) Medical examination prohibition does not include drug testing.
 - (2) Any tests, including physical agility tests, "shown to be job-related and consistent with business necessity" are permissible at any time.
 - (a) "ADA requirements apply to all selection standards and procedures, including, but not limited to...physical and mental requirements...physical and psychological tests..." EEOC Technical Assistance Manual, Section 4.1.
 - (b) "[T]he employer can request the applicant's physician to respond to a very restricted inquiry which describes the specific agility test and asks: "Can this person safely perform this test?" EEOC Technical Assistance Manual, Section 4.4
 - (3) Employers may describe or demonstrate job functions and ask applicants if the function can be done with or without reasonable accommodation.
 - (4) Applicants may be asked to describe or demonstrate how they will be able to perform job functions in light of their disability.
 - (5) Mr. Christopher Bell, EEOC, stated that it is permissible for an employer to make more offers of employment than it has vacancies, so long as there is "integrity" to the application and hiring process, i.e., winnowing processes are used to narrow the pool of applicants before offers of employment are made.
- c. Current employees may not be subjected to a medical test which would disclose a disability

unless the test is job-related, voluntary and part of an employee health program, required by law, or a fitness for duty examination.

- d. The failure of an employer to reasonably accommodate the disability of an applicant or employee constitutes illegal discrimination.
- (1) "Reasonable Accommodation" -- may include:
 - (a) Making existing facilities more accessible to disabled persons;
 - (b) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment, adjustment of training and examinations, etc.
 - (c) Where no equivalent position is available or reasonably will come available, reassignment to a lower grade at lower pay is permitted. Promotion is not required as a form of reasonable accommodation.
 - (2) "Undue Hardship" -- An action requiring significant difficulty or expense when considered in light of the following factors:
 - (a) the nature and cost of the accommodation;
 - (b) the overall financial resources of the facility involved, the number of personnel at the facility, and the effect or impact of the accommodation on operations;
 - (c) the overall financial resources and size of the employing entity and the number, type and location of the employer's facilities;
 - (d) the type of operation(s) of the employer, including the composition, structure and functions of the workforce.
 - (3) "An employer is obligated to make an

accommodation only to the known limitation of an otherwise qualified individual with a disability. In general, it is the responsibility of the applicant or employee with a disability to inform the employer that an accommodation is needed to participate in the application process, to perform essential job functions or to receive equal benefits and privileges of employment. An employer is not required to provide an accommodation if unaware of the need." EEOC Technical Assistance Manual, Section 3.6

3. Defenses Available to the Employer
 - a. The qualification standards, tests or selection criteria are shown to be job-related and consistent with business necessity, and such qualification cannot be accomplished by reasonable accommodation.
 - b. Discrimination is lawful if the individual will pose a direct threat to the health or safety of other individuals in the workplace.
4. Suggestions to ensure compliance with Title I of the ADA:
 - a. Analyze all job classifications within the agency and reduce to writing all essential functions of each job.
 - b. Re-examine all physical standards and hiring criteria to determine job-relatedness and affect on disabled persons.
 - c. Ensure that application forms themselves do not inquire about the nature or severity of a disability. If so, segregate that portion of the application and use it only after a conditional offer of employment has been made.
 - d. Review all tests and vacancy notices to ensure they do not screen out individuals with disabilities, unless the test itself is designed to measure the ability to perform an essential function.
 - e. Reorder medical and psychological testing so that they occur, if at all, only after a conditional offer of employment has been made. Consider whether polygraph testing, if used, requires

medical information in the pre-test, and if so, refrain from such inquiries, or make them post-offer of employment.

- f. Re-evaluate medical standards and criteria to determine relationship to essential functions of the job and for their effect on disabled persons.
- g. Educate personnel officers and interview panels as to the requirements of the ADA and the prohibition on pre-offer medical or disability inquiries.
- h. Create a separate records system for medical information and install mechanism to ensure confidentiality. "The employer should take steps to guarantee the security of the employee' medical information, including: -- keeping the information in a medical file in a separate, locked cabinet, apart from the location of personnel files..." EEOC Technical Assistance Manual, Section 6.5.
- i. Governmental employers (political subdivisions) with 50 or more employees must designate at least one employee to coordinate ADA responsibilities and adopt and publish a grievance procedure of resolution of ADA complaints.

Job Descriptions in Law Enforcement

Prepared by
Richard Zappile

WHAT'S INSIDE:

- * The Philadelphia Police Department's Response to the Americans with Disabilities Act
- * Survey Instructions and Questions
- * Explanation and Results of Survey
- * List of Essential Job Functions
- * Sample of Essential Job Functions and Critical Tasks from Other Jurisdictions
- * Job Descriptions from Philadelphia, Omaha and Jacksonville

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THE PHILADELPHIA POLICE DEPARTMENT'S RESPONSE TO
THE AMERICAN'S WITH DISABILITIES ACT

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Background of the ADA

The Americans With Disabilities Act, Title I, took effect July 26, 1992. The Act prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities. This applies to all aspects of employment including: job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. An individual with a disability is a person who:

- has a physical or mental impairment that substantially limits one or more major life activities;
- has a record of such impairment; or
- is regarded as having such an impairment.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation can perform the essential functions of the job in question.

Reasonable accommodation may include, but is not limited to:

- making existing facilities used by employees readily accessible to and usable by persons with disabilities;

- job restructuring, modifying work schedules, reassignment to a vacant position.
- acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

An employer is not required to lower the quality on production standards to make an accommodation, nor is an employer obligated to provide personal use items such as glasses or hearing aids.

The Act also prohibits employers from asking job applicants about the existence, nature or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required of all entering employees in similar jobs. Medical examinations of employees must be job-related and consistent with the employers's business needs.

Employees and applicants currently engaged in the illegal use of drugs are not covered by the Americans With Disabilities Act when an employer acts on the basis of such use. Tests for illegal drugs are not subject to the Americans With Disabilities Act's restriction on medical examinations. However, former drug users who have been "rehabilitated" fall under the Act's protection.

ADA'S IMPACT ON QUALIFICATION STANDARDS

When the ADA regulations were first reviewed the Act raised several issues of concern among administrators in the field of law enforcement. It was feared that the Act would have an adverse impact on hiring practices and procedures especially in the areas of qualification standards, psychological screenings, drug testing, and medical standards.

Under the ADA, police departments are not required to lower qualification standards for job applicants. What is required is a thorough analysis of the job and a review of the job description to determine the essential job functions. Once essential job functions are determined, hiring decisions can be based on the applicant's ability to perform these functions. If an applicant does not meet the qualification standards of the position he/she need not be hired - regardless of disability. However, if a disabled employee does meet the qualification standards and can perform the essential job functions with or without reasonable accommodation, the disability can not be the reason for rejecting the applicant.

Many police departments throughout the United States rely on psychological screenings to determine specific characteristics and personality traits of applicants. Drug use matrixes are also used to obtain information on the applicant's involvement in prior drug usage. These screenings are permissible qualification standards under the ADA as long as they are proven to be job related.

Another area of concern was medical examinations and physical standards. Under the ADA objective standards need to be set to insure that applicants are fully capable of performing the many duties involved in police work. These objective physical standards need to be based on the essential job functions.

It is usually at the medical examination stage a determination is made as to whether an applicant possesses the physical capabilities to perform the duties of a police officer. If at this point an applicant is rejected the reason for rejection would need to be based on objective medical evidence regarding that individual's case and past medical history.

It is quite apparent that serious consequences could arise as a result of a police officer not having the ability to perform the essential job functions. If it is found that the applicant's disability would cause a direct threat to him/herself or public safety, the risk must be identified and documented by objective medical evidence as well.

PHILADELPHIA'S APPROACH TO ADA COMPLIANCE

The City of Philadelphia employs approximately 30,000 employees. Almost 95% of these employees fall under Civil Service protection. The City conducts all personnel functions through a centralized personnel office. The larger departments such as Police, Fire, and Streets have a personnel office. The Philadelphia Police Department employs over 8,300 people in a variety and number of job classifications.

The Philadelphia Police Department recognized the importance of and supports the American's With Disabilities Act. Approximately one year prior to the law's effective date the department began an extensive review of those personnel functions covered under Title I. Some of those functions included are:

- review of job announcements;
- requirements for positions;
- applicant testing;
- test construction;
- conditional offer of employment letter;
- incumbent policies regarding injuries on duty.

A project team consisting of representatives from the Police Department, Central Personnel, Health Department, business community; disabled advocates, physiologists, and exercise specialists was formed and an Action Plan was devised which focused on:

- establishing the essential job functions for positions within the Police Department;
- ensuring those job functions and the job descriptions were in agreement;
- validation of the essential job functions by an independent source (Pennsylvania State University);
- reviewing and revising medical standards.

Below is an outline of the self-evaluation process the Philadelphia Police Department has taken to comply with the ADA.

The first step was to review the applicant screening process. Prior to the ADA a candidate would complete a Personal Data Questionnaire (P.D.Q.) which asked for various types of background information including medical. The candidate would then have a standard physical examination conducted at the City's Medical Unit.

The ADA states that all medical exams must be conducted after a conditional offer of employment therefore, the Personal Data Questionnaire was split into two separate booklets. The first booklet asked for all background information (excluding medical) and is submitted to the Background Investigation Unit. The second booklet asked for medical information only. The applicant brings this completed booklet with him/her to the Medical Unit when reporting for the physical exam.

Below is the revised applicant process:

1. Written Test - applicant's name is placed on the candidate list.
2. Orientation
3. Urinalysis
4. Polygraph Test
5. Background Investigation
6. Police Review Board Acceptance Committee
(conditional offer of employment sent)
(applicant's name is placed on the acceptance list)
7. Medical Examination
8. Written Psychological Exam
9. Oral Psychological Examination
10. Headquarters Investigation Unit - final check

11. Applicant's name is placed on the next class list

12. Applicant hired

The next step in the self-evaluation process was to conduct a thorough, objective evaluation of what the job of a police officer actually entails. It was decided that the most effective vehicle to use to gather job task information would be a questionnaire of the tasks performed by police officers.

The questionnaire was set up in such a way as to determine the relative frequency and importance of engaging in tasks which involve physical abilities. The officers were instructed to read each task and rank the importance of each task on a scale of 1.0 to 5.0 (1.0 = Very Unimportant, 2.0 = Unimportant, 3.0 = Important, 4.0 = Very Important, 5.0 = Critically Important).

Next to the same task using a scale of 1.0 to 5.0, the officers were asked to rank how frequently they may be called upon to perform each task. (1.0 = Less Than Once A Month, 2.0 = Monthly, 3.0 = Less Than Once A Week, 4.0 = Weekly, 5.0 = Daily).

Some tasks also had a "V" column for a value response where the officers would indicate an actual value such as the height of an object they may have to jump over, or the weight of a person they may have to lift, drag, or carry.

The data was compiled and the results were based on the mean score of 449 respondents.

Tasks rated 3.0 (Important) and above for level of importance were considered essential to the job of a Police Officer. Tasks rated 2.0 (Monthly) and above for frequency were considered essential to the job of a Police Officer.

The results indicated that numerous physical activities are executed routinely and even if certain activities are not performed on a routine basis they are considered an important aspect of the job of a Police Officer.

Tasks rated 3.0 and above in importance but less than 2.0 in frequency were considered to be essential to the job of a Police Officer. Many of these tasks were tasks associated with firearms. Despite the low frequency rating they were considered essential because in dealing with public safety the importance of a Police Officer having the ability to perform these tasks on rare occasions outweighs the fact that these tasks are infrequently performed. (For example: A Police Officer may never have to draw his weapon however, in a life threatening situation it is important he/she has the ability to do so).

The third step in the self-evaluation process was to revise the job descriptions of Police Officers and Police Officer Applicants to match the essential job functions.

Step four was a review of the medical policies and procedures. A preliminary research project was conducted prior to revising the medical standards. Approximately 50 cities across the United States were contacted to gather information on the medical standards used by other municipalities. Comparisons were then made to see where Philadelphia's medical standards were in relation to that of other cities. Our findings showed that standards ranged from very lenient (some cities had no written medical standards for police officers) to very strict (requiring yearly physical exams).

As a result of the ADA the Philadelphia Police Department revised the medical standards to eliminate all blanket exclusions. Any applicant who does not meet the standard medical criteria is reviewed on a case by case basis and a determination will be made as to whether the applicant or employee can perform the essential job functions with or without a reasonable accommodation.

The next area the department plans to address is issues regarding incumbent policies, limited duty positions, and officers injured in the line of duty and are disabled as a result.

In conclusion, the Americans With Disabilities Act does not require employers to hire unqualified or unfit applicants nor does it expect agencies to lower or eliminate standards. It is however, intended to create equal and fair employment opportunities and access priviledges for all applicants and employees and to eliminate any preconceived bias or prejudices on the part of the employer.

The Philadelphia Police Department feels that the Act should be viewed in a positive light. Although it is a time consuming process now, further down the road the department can benefit in many ways. It is an excellent opportunity to initiate new policies and procedures for an ongoing self evaluation process which in the long run will make the department a more effective one.

INSTRUCTIONS

The Police Department is currently in the process of revising the job descriptions for all ranks throughout the department.

The reason is so that in the future, objective standards are set for hiring new police officers to insure they have all physical capabilities to do the job.

In order to do this we are requesting input from you, the officers who do the job every day.

We have devised a questionnaire listing approximately 70 different tasks a police officer may be called upon to perform.

What we would like you to do is read each task. Think about how important each task is to the job of a police officer. In the "I" column fill in a # using the scale at the top of the page that best indicates how important this task is to the job of a police officer.

Next to the same task in the "F" column using the frequency scale at the top of the page fill in the # that best indicates how frequently a police officer performs that task.

Some of the tasks also require a 3rd response. If there is a line in the "V" column next to a task please fill in an actual value in height, weight, or distance, whatever is indicated. (At this point several examples from the questionnaire were cited).

There is space provided at the end of each group of tasks. Please fill in any task you feel is important or perform frequently that we may have left out.

A task may be rated as highly important to the job of a police officer but not performed frequently and vice versa.

Participation is strictly voluntary.

The distribution of this questionnaire has been approved by the F.O.P.

This is not a test of your knowledge. There are no right or wrong answers. This is based solely on how you view the importance and frequency of each task listed.

INSTRUCTIONS

Do not write your name on the questionnaires - they are to remain anonymous.

For statistical purposes please list your rank and the # of years you have been with the Police Department.

Don't overanalyze the items by thinking about what repercussions, would occur if you did a certain task or how that task falls under a directive.

Look at each task and ask yourself how important is it? And how frequently do I do it?

YRS _____
 RANK _____

Level of Importance	Very Unimportant 1	Unimportant 2	Important 3	Very Important 4	Critically Important 5
Frequency	Less Than Once Month 1	Monthly 2	Less Than Once Week 3	1 - 4 Times A Week 4	Daily 5

A. Tasks Requiring Lift and Physical Exertion

	I	F	V
01. Lift and carry stretchers with a person on it. *weight	_____	_____	_____
02. Lift and carry a barricade *distance	_____	_____	_____
03. Force door open	_____	_____	_____
04. Force window open	_____	_____	_____
05. Crawl through windows	_____	_____	_____
06. Crawl in confined areas	_____	_____	_____
07. Jump obstacles (fence, trash can, shrub) while chasing suspect *height	_____	_____	_____
08. Dodge low hanging objects while chasing suspect	_____	_____	_____
09. Dodge around objects while chasing suspect	_____	_____	_____
10. Run a distance after suspect _____, up/down stairs *distance	_____	_____	_____
11. Climb fire escapes, ladders,	_____	_____	_____
12. Climb or pull oneself over obstacle	_____	_____	_____
13. Walk/run on slippery surface	_____	_____	_____
14. Remove object from highway *weight	_____	_____	_____
15. Push vehicle	_____	_____	_____
16. Perform strenuous activities with gas mask on	_____	_____	_____
17. Perform strenuous activities wearing body armour & other equipment	_____	_____	_____

I F V

- | | I | F | V |
|---|---|---|---|
| 18. Subdue/control resisting suspect | — | — | |
| 19. Drag suspect/victim to safety *distance | — | — | — |
| 20. Force resisting person from prone to standing position | — | — | |
| 21. Force resisting person into police vehicle | — | — | |
| 22. Quickly enter or exit patrol vehicle | — | — | |
| 23. Place/remove handcuffs from suspect | — | — | |
| 24. Stand handcuffed suspect on two feet *weight | — | — | — |
| 25. Pin resisting suspect to car hood or wall | — | — | |
| 26. Maintain balance while warding off blows/kicks | — | — | |
| 27. Apply restraining holds | — | — | |
| 28. Use baton properly | — | — | |
| 29. Perform defensive maneuvers(break holds,duck,punch,kick) | — | — | |
| 30. Walk for long periods/Foot patrol (for duration of shift) | — | — | — |
| 31. Stand for long periods:Guard Crime Scene/Parade duty *time | — | — | — |
| 32. Remain outdoors for long periods in all types of weather *time | — | — | — |
| 33. Perform rescue functions at accidents, emergencies, and
disasters, administer 1st Aid & CPR when necessary | — | — | |

List additional lift & physical exertion tasks

—	—	—
—	—	—
—	—	—
—	—	—



Level of Importance	Very Unimportant 1	Unimportant 2	Important 3	Very Important 4	Critically Important 5
Frequency	Less Than Once Month 1	Monthly 2	Less Than Once Week 3	1 - 4 Times A Week 4	Daily 5

B. Tasks Requiring Vision

01. Read road signs, house numbers, from mid-street
02. Recognize colors - wanted vehicles, suspect descriptions.
03. Drive a police vehicle day or night under various conditions.
04. Perceive objects while chasing suspects.
05. Write/read reports, citations, logs, training material etc.
06. Provide accurate and detailed descriptions of persons/vehicles.
07. Conduct searches of persons, premises, vehicles.
08. Defend self/others from assault.
09. Subdue/control/disarm a resisting offender
10. Use firearms properly
11. Determine spatial orientation of objects.

	I	F	V
01. Read road signs, house numbers, from mid-street	—	—	—
02. Recognize colors - wanted vehicles, suspect descriptions.	—	—	—
03. Drive a police vehicle day or night under various conditions.	—	—	—
04. Perceive objects while chasing suspects.	—	—	—
05. Write/read reports, citations, logs, training material etc.	—	—	—
06. Provide accurate and detailed descriptions of persons/vehicles.	—	—	—
07. Conduct searches of persons, premises, vehicles.	—	—	—
08. Defend self/others from assault.	—	—	—
09. Subdue/control/disarm a resisting offender	—	—	—
10. Use firearms properly	—	—	—
11. Determine spatial orientation of objects.	—	—	—

additional vision tasks

Level of Importance	Very Unimportant 1	Unimportant 2	Important 3	Very Important 4	Critically Important 5
Frequency	Less Than Once Month 1	Monthly 2	Less Than Once Week 3	1 - 4 Times A Week 4	Daily 5

C. Tasks Requiring Hearing

	I	F	V
01. Receive commands under various conditions(noise,emergencies)	—	—	—
02. Receive radio/telephone messages under various conditions.	—	—	—
03. Receive cries for help/assistance from others over various distances and conditions. *distance	—	—	—
04. Recongnize sounds of danger/alarm,sirens,vehicles,breaking glass. additional hearing tasks	—	—	—
_____	—	—	—
_____	—	—	—
_____	—	—	—

D. Tasks Requiring Speech

	I	F	V
01. Give orders/directions to others over varying distance and conditions. *distance	—	—	—
02. Transmit radio/telephone messages	—	—	—
03. Testify in court	—	—	—
04. Effectively communicate with people, by giving information, mediating disputes, and advising of rights additional speech tasks	—	—	—
_____	—	—	—
_____	—	—	—
_____	—	—	—

Level of Importance	Very Unimportant	Unimportant	Important	Very Important	Critically Important
	1	2	3	4	5
Frequency	Less Than Once Month 1	Monthly 2	Less Than Once Week 3	1 - 4 Times A Week 4	Daily 5

E. Tasks Associated with Firearms

- 01. Fire weapon accurately with each hand
- 02. Fire handgun 12 rounds in 18 seconds
- 03. Fire shotgun 5 times in 30 seconds
- 04. Load weapon/unload under all weather conditions
- 05. Load weapon/unload under stressful conditions
- 06. Fire weapon from kneeling posture
- 07. Fire weapon from standing posture
- 08. Fire weapon from prone posture

I F V

—	—	
—	—	
—	—	
—	—	
—	—	
—	—	
—	—	
—	—	

additional firearms tasks

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Level of Importance	Very Unimportant 1	Unimportant 2	Important 3	Very Important 4	Critically Important 5
Frequency	Less Than Once Month 1	Monthly 2	Less Than Once Week 3	1 - 4 Times A Week 4	Daily 5

F. Other Tasks

	I	F	V
01. Patrol in vehicle for long periods of time *how long?	_____	_____	_____
02. Drive vehicle under strenuous conditions: high speed	_____	_____	_____
03. Drive vehicle under strenuous conditions: all weather	_____	_____	_____
04. Drive vehicle while talking on the radio	_____	_____	_____
05. Direct traffic using arm and hand signals	_____	_____	_____
06. Operate vehicle controls(dash,emergency lights,radio,siren)	_____	_____	_____
07. Recognize Hazardous materials by smell	_____	_____	_____
08. Remove object from suspects person	_____	_____	_____
09. Pat down suspect for weapons and contraband	_____	_____	_____
<i>List additional tasks...use as much space as needed</i>			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CITY OF PHILADELPHIA
POLICE OFFICER JOB TASKS QUESTIONNAIRE

PURPOSE

To identify the essential job tasks of a Philadelphia Police Officer (Street Cop).

METHODOLOGY

A questionnaire was devised listing 69 various tasks a Police Officer may be called upon to perform.

The tasks listed on the questionnaire were chosen by a veteran Police Officer who drew from his knowledge and experience as a street cop.

The questionnaire was distributed to Police Officers who attended annual Municipal Police Officer's Training. M.P.O. Training was chosen as the distribution site because it not only ensured a wide cross section of Police Officers, but would guarantee a high response rate as well.

The questionnaire was distributed to 510 Police Officers. 449 were returned completed.

RESULTS

The attached is a summary of the Police Officer Job Tasks Questionnaire.

Tasks rated 3.0 Important, 4.0 Very Important, and 5.0 Critically Important were considered essential to the job of a Police Officer.

Tasks rated 2.0 performed Monthly, 3.0 performed Less than Once A week, 4.0 performed 1 - 4 Times A week, and 5.0 performed Daily were considered essential to the job of a Police Officer.

The mean score is based on the responses of 449 respondents.

Page 1 lists tasks that are considered non-essential to the job of a Police Officer. These tasks were rated 1.0 Very Unimportant or 2.0 Unimportant and rated 2.0 or below in frequency, meaning they are performed less than once a month.

Page 2 lists tasks that are essential to the job of a Police Officer. These tasks were rated 3.0 or above in importance but less than 2.0 in frequency. Despite the low frequency rating they were considered essential because in dealing with public safety the importance of a Police Officer having the ability to perform these tasks on rare occasions outweighs the fact that these tasks are infrequently performed. (Most of these tasks are in the firearms category).

Pages 3, 4, and 5 lists tasks that are essential to the job of a Police Officer. These tasks were rated 3.0 and above in importance and 2.0 and above in frequency.

TASKS RATED LOW IMPORTANCE (lower than 3.0)
AND LOW FREQUENCY (lower than 2.0)

- A.02 Lift & carry a barricade.
- A.04 Force open a window.
- A.06 Crawl in confined areas.
- A.14 Remove object from highway.
- A.15 Push vehicle
- A.16 Perform strenuous activities wearing gas mask.

TASKS RATED IMPORTANT (3.0 or higher)
BUT NOT PERFORMED FREQUENTLY (less than 2.0)

- A.03 Force door open.
- A.05 Crawl through windows.
- A.11 Climb fire escapes, ladders.
- A.12 Climb or pull oneself over obstacle.
- A.19 Drag suspect/victim to safety.
(distance = 56.1 ft.)
(maximum response = 1 mile)
(minimum response = 2 ft.)
- A.31 Stand for long periods; guard crime scene/parade duty.
(time = 4.6 hours)
(maximum response = 12 hours)
(minimum response = 1 hour)

- E.01 Fire weapon accurately with each hand.
- E.02 Fire handgun 12 rounds in 18 minutes.
- E.03 Fire shotgun 5 times in 30 seconds.
- E.04 Load weapon/unload weapon under all weather conditions.
- E.05 Load weapon/unload under stressful conditions.
- E.06 Fire weapon from kneeling position.
- E.07 Fire weapon from standing posture.
- E.08 Fire weapon from prone position.

- F.07 Recognize hazardous materials by smell.

Results
Page 2

TASKS RATED IMPORTANT (3.0 or greater)
AND FREQUENT (2.0 or greater)

- A.01 Lift & carry stretcher with a person on it.
(wt. = 164.7 lbs.)
(maximum response = 305 lbs.)
(minimum response = 6 lbs.)
- A.07 Jump obstacles while chasing suspect.
(height of obstacle = 3.6 ft.)
(maximum response = 11 ft.)
(minimum response = 1 ft.)
- A.08 Dodge low hanging objects while chasing suspect.
- A.09 Dodge around objects while chasing suspect.
- A.10 Run a distance after suspect.
(1.7 flights of stairs)
(maximum response = 15 flights)
(minimum response = 1 flight)
- A.13 Walk/run on slippery surface.
- A.17 Perform strenuous activities wearing body armour/other equipment.
- A.18 Subdue/control resisting suspect.
- A.20 Force resisting person from prone to standing position.
- A.21 Force resisting person into police vehicle.
- A.22 Quickly enter or exit a patrol vehicle.
- A.23 Place/remove handcuffs from suspect.
- A.24 Stand handcuffed suspect on two feet.
(weight of suspect = 154.4 lbs.)
(maximum response = 300 lbs.)
(minimum response = 120 lbs.)
- A.25 Pin resisting suspect to car hood or wall.
- A.26 Maintain balance while warding off blows/kicks.
- A.27 Apply restraining holds.
- A.28 Use baton properly.
- A.29 Perform defensive maneuvers.

Results
Page 3

- A.30 Walk for long periods/foot patrol.
(time = 3.3 hours)
(maximum response = 12 hours)
(minimum response = 1 hour)
- A.32 Remain outdoors for long periods in all types of weather.
(time = 4.4 hours)
(maximum response = 12 hours)
(minimum response = 1 hour)
- A.33 Perform rescue functions, administer 1st Aid/CPR.

- B.01 Read road signs, house numbers, from mid-street.
(distance 19.9 ft.)
(maximum response = 500 ft.)
(minimum response = 5 ft.)
- B.02 Recognize colors - wanted vehicles, suspect descriptions.
- B.03 Drive a police vehicle day or night in various conditions.
- B.04 Perceive objects while chasing suspects.
- B.05 Write/read reports, citations, logs, training material.
- B.06 Provide accurate & detailed descriptions of persons/vehicles.
- B.07 Conduct searches of persons, premises vehicles.
- B.08 Defend self/others from assault.
- B.09 Subdue/control/disarm a resisting offender.
- B.10 Use firearms properly.
- B.11 Determine spatial orientation of objects.

- C.01 Receive commands under various conditions.
- C.02 Receive radio/telephone messages under various conditions.
- C.03 Receive cries for help from others over various distances.
(distance = 146.7 ft.)
(maximum response = 5940 ft.)
(minimum response = 5 ft.)

Results
Page 4

C.04 Recognize sounds of danger/alarm/sirens/vehicles/breaking glass.

D.01 Give orders/directions to others over varying distances/conditions.
(distance = 86 ft.)
(maximum response = 10560 ft.)
(minimum response = 1 ft.)

D.02 Transmit radio/telephone messages.

D.03 Testify in court.

D.04 Effectively communicate w/people, give info, mediate disputes.

F.01 Patrol in vehicle for long periods.
(time = 6.5 hours)
(maximum response = 16 hours)
(minimum response = 1 hour)

F.02 Drive vehicle under strenuous conditions - high speed.

F.03 Drive vehicle under strenuous weather conditions.

F.04 Drive vehicle while talking on the radio.

F.05 Direct traffic using arm & hand signals.

F.06 Operate vehicle controls (dash, lights, radio, siren).

F.08 Remove object from a suspect.

F.09 Pat down suspect for weapons/contraband.

Results
Page 5

ESSENTIAL JOB FUNCTIONS OF PHILADELPHIA POLICE OFFICERS

STANDING, WALKING, RUNNING, JUMPING

Stand for a minimum of 5 hours.

Walk or run on slippery surfaces.

Walk on foot patrol for long periods of time.

Run and jump an obstacle a minimum of 4 ft. high.

Run while dodging low hanging objects.

Run while dodging obstacles.

CLIMBING, BALANCING

Climb stairs, fire escapes, and ladders.

Climb over obstacles.

Maintain balance while warding off kicks/blows.

Perform defensive maneuvers.

BENDING, STOOPING, KNEELING, CROUCHING, CRAWLING

Perform rescue functions, administer CPR

Kneel while firing weapon.

Crawl through window.

SITTING

Drive in patrol car for a minimum of 6 1/2

Quickly enter/exit patrol vehicle

LIFTING, CARRYING, PUSHING, PULLING

Lift, carry, and/or drag stretcher with a 165 lb. person on it.

Force open door/window.

REACHING, HANDLING, GRASPING, FINGERING, FEELING

Grasp, fire, load, unload, and clean weapon.

Apply restraining holds.

Control resisting suspect.

Place/remove handcuffs.

Use baton properly.

Operate radio/sirens/lights while driving vehicle.

Pat down and/or remove object from suspect.

TALKING, HEARING,

Give orders/directions to others under various distances, and conditions.

Give information, mediate disputes, transmit radio/telephone messages, testify in court.

Recognize sounds of danger/ cries for help/ alarm/ sirens/ vehicles/ breaking glass.

Receive commands/ radio/telephone messages under various conditions /distances.

SEEING

Drive, read road signs, house numbers day or night.

Provide accurate, detailed descriptions of persons/vehicles.

Recognize colors.

Depth perception.

Peripheral vision.

SMELLING

Recognize hazardous materials.

WORKING CONDITIONS

Perform strenuous activities wearing body armour/other equipment in all weather conditions.

Stand/walk/ride in vehicle/ in all weather conditions.

Drive at high speeds in all weather conditions.

TASKS RATED IMPORTANT (3.0 or higher)
BUT NOT PERFORMED FREQUENTLY (less than 2.0)

- A.03 Force door open.
- A.05 Crawl through windows.
- A.11 Climb fire escapes, ladders.
- A.12 Climb or pull oneself over obstacle.
- A.19 Drag suspect/victim to safety.
(distance = 56.1 ft.)
(maximum response = 1 mile)
(minimum response = 2 ft.)
- A.31 Stand for long periods; guard crime scene/parade duty.
(time = 4.6 hours)
(maximum response = 12 hours)
(minimum response = 1 hour)

- E.01 Fire weapon accurately with each hand.
- E.02 Fire handgun 12 rounds in 18 minutes.
- E.03 Fire shotgun 5 times in 30 seconds.
- E.04 Load weapon/unload weapon under all weather conditions.
- E.05 Load weapon/unload under stressful conditions.
- E.06 Fire weapon from kneeling position.
- E.07 Fire weapon from standing posture.
- E.08 Fire weapon from prone position.

- F.07 Recognize hazardous materials by smell.

TASKS RATED IMPORTANT (3.0 or greater)
AND FREQUENT (2.0 or greater)

- A.01 Lift & carry stretcher with a person on it.
(wt. = 164.7 lbs.)
(maximum response = 305 lbs.)
(minimum response = 6 lbs.)
- A.07 Jump obstacles while chasing suspect.
(height of obstacle = 3.6 ft.)
(maximum response = 11 ft.)
(minimum response = 1 ft.)
- A.08 Dodge low hanging objects while chasing suspect.
- A.09 Dodge around objects while chasing suspect.
- A.10 Run a distance after suspect.
(1.7 flights of stairs)
(maximum response = 15 flights)
(minimum response = 1 flight)
- A.13 Walk/run on slippery surface.
- A.17 Perform strenuous activities wearing body armour/other equipment.
- A.18 Subdue/control resisting suspect.
- A.20 Force resisting person from prone to standing position.
- A.21 Force resisting person into police vehicle.
- A.22 Quickly enter or exit a patrol vehicle.
- A.23 Place/remove handcuffs from suspect.
- A.24 Stand handcuffed suspect on two feet.
(weight of suspect = 154.4 lbs.)
(maximum response = 300 lbs.)
(minimum response = 120 lbs.)
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- A.26 Maintain balance while warding off blows/kicks.
- A.27 Apply restraining holds.
- A.28 Use baton properly.
- A.29 Perform defensive maneuvers.

Results
Page 3

- A.30 Walk for long periods/foot patrol.
(time = 3.3 hours)
(maximum response = 12 hours)
(minimum response = 1 hour)
- A.32 Remain outdoors for long periods in all types of weather.
(time = 4.4 hours)
(maximum response = 12 hours)
(minimum response = 1 hour)
- A.33 Perform rescue functions, administer 1st Aid/CPR.
- B.01 Read road signs, house numbers, from mid-street.
(distance 19.9 ft.)
(maximum response = 500 ft.)
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- B.05 Write/read reports, citations, logs, training material.
- B.06 Provide accurate & detailed descriptions of persons/vehicles.
- B.07 Conduct searches of persons, premises vehicles.
- B.08 Defend self/others from assault.
- B.09 Subdue/control/disarm a resisting offender.
- B.10 Use firearms properly.
- B.11 Determine spatial orientation of objects.
- C.01 Receive commands under various conditions.
- C.02 Receive radio/telephone messages under various conditions.
- C.03 Receive cries for help from others over various distances.
(distance = 146.7 ft.)
(maximum response = 5940 ft.)
(minimum response = 5 ft.)

Results
Paget

C.04 Recognize sounds of danger/alarm/sirens/vehicles/breaking glass.

D.01 Give orders/directions to others over varying distances/conditions.
(distance = 86 ft.)
(maximum response = 10560 ft.)
(minimum response = 1 ft.)

D.02 Transmit radio/telephone messages.

D.03 Testify in court.

D.04 Effectively communicate w/people, give info, mediate disputes.

F.01 Patrol in vehicle for long periods.
(time = 6.5 hours)
(maximum response = 16 hours)
(minimum response = 1 hour)

F.02 Drive vehicle under strenuous conditions - high speed.

F.03 Drive vehicle under strenuous weather conditions.

F.04 Drive vehicle while talking on the radio.

F.05 Direct traffic using arm & hand signals.

F.06 Operate vehicle controls (dash, lights, radio, siren).

F.08 Remove object from a suspect.

F.09 Pat down suspect for weapons/contraband.

Results
Page 5

GUIDELINES FOR PHYSICIANS

This information is designed to help physicians complete the following forms. The medical conditions outlined in these forms may impact an individual's ability to perform the essential functions of the job for a first class police officer or firefighter. The application of these guidelines requires a careful consideration of the job duties of a police officer or firefighter and the medical conditions that might affect a person's capability to conduct those duties. Firefighting and emergency response are very difficult jobs. People in these jobs must perform functions that are physically and psychologically demanding. These functions must often be performed under very difficult conditions. Studies have shown that firefighting and police functions require working at near maximal heart rates for prolonged periods of time. Heavy protective equipment (including respirators) and the heat from fire also contribute to the physical load that firefighters must endure.

The available health data on firefighters and police officers is limited. Given the delay between exposure and onset of many occupational illnesses (i.e., latency), current or past health studies of firefighters and police officers may not reflect future health risks. However, it appears that firefighters and police officers have increased risk for injuries, pulmonary disease, cardiovascular disease, cancer, and noise-induced hearing loss. The increased risk for injuries is expected given the demands and circumstances for this work.

BASIC ESSENTIAL JOB FUNCTIONS

I. BASIC ESSENTIAL FUNCTIONS FOR POLICE OFFICERS

Patrol assigned area on foot or drive a vehicle searching for suspicious activity or situations, or checking for persons in need of service.

Monitor radio and other communication devices to receive assigned runs and to maintain awareness of activities in assigned areas or by other officers.

Assist citizens with problems such as lost children, injured persons, animal bites, civil disputes, locked doors, vehicle inspection and verifications, or abandoned vehicles.

Refer persons to appropriate social service agencies when situation warrants.

Respond to assigned run by driving, walking, or running to specified location, assess situation, determine need for other assistance, and take appropriate action.

Move people away from danger, including carrying unconscious people and providing emergency aid to injured people.

Investigate accidents, extract victims, provide emergency aid, gather evidence, record observations and statements of witnesses and victims, request assistance from other officers or agencies as needed, direct the removal of the vehicles involved, and ensure an area is clear.

Search crime scenes, take prescribed actions to preserve and protect evidence, and record findings and observations.

Interview victims, suspects, and witnesses, and record responses and observations.

Pursue, apprehend, search, and arrest suspects using only necessary force, advise suspects of rights, and transport suspect to detention area.

Restrain people from physically striking or injuring others using appropriate weapons.

Drive a vehicle at high speed when situation warrants due to nature of emergency.

Stop drivers of vehicles when traffic violations are observed, verify license and registration data, advise driver of safe driving practices, and issue citations or make arrests as warranted.

Direct vehicular and pedestrian traffic when congestion occurs or as directed.

Report as directed to scenes of general emergencies and take appropriate action to protect life and property, such as directing traffic, quarantining an area, assisting individuals in leaving an area, preventing looting and requesting appropriate assistance.

Maintain visibility in the community by meeting and talking with citizens, provide

II. ENVIRONMENTAL FACTORS FOR POLICE OFFICERS

The essential functions for police officers are performed in and affected by the following environmental factors. A police officer must:

- (1) Operate both as a member of a team and independently at incidents of uncertain duration.
- (2) Face exposure to infectious agents such as hepatitis B or HIV.
- (3) Perform complex tasks during life-threatening emergencies.
- (4) Work for long periods of time, requiring sustained physical activity and intense concentration.
- (5) Face life or death decisions during emergency conditions.
- (6) Tolerate exposure to grotesque sights and smells associated with major trauma.
- (7) Make rapid transitions from rest to near maximal exertion without warm-up periods.
- (8) Use firearms, self-defense equipment and body armor.
- (9) Be able to physically protect him/herself.
- (10) Be able to communicate with people effectively.

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CRITICAL TASK LIST - 109

1. Listen to radio to receive messages and to remain aware of activity relevant to the patrol.
2. Review teletypes, wanted posters, etc., to be able to recognize wanted persons, missing property, etc., for reference during patrol.
3. Read license plate/tag/inspection sticker from a distance.
4. Conduct surveillance of areas, buildings, and suspects to obtain evidence for prosecution.
5. Determine whether a person is under the influence of drugs or alcohol by using observational cues or conducting field sobriety tests.
6. Operate pistols, shotguns, rifles, and other automatic, semi-automatic, and defensive weapons to provide self-protection and protection to others.
7. Read written instructions to receive specific assignments and duties.
8. Evaluate information and assignments to plan for impending patrol activities.
9. Inspect assigned vehicle and equipment to ensure proper operation of communication and emergency equipment.
10. Determine the most appropriate route of travel to arrive at proposed location in the least amount of time.
11. Operate radio to report routine or emergency incidents and locations.
12. Talk, via radio, telephone or in person, to communications personnel.
13. Evaluate instructions given by supervisor and/or communications people to ensure proper and correct action is taken.
14. Identify troublesome locations and times in a patrol area.
15. Examine suspicious vehicles or potentially dangerous situations (e.g., abandoned vehicles, abandoned ice boxes, downed high tension wires, fire hazards, etc.) in order to decide what action should be taken.
16. Observe occupants of stopped vehicles for anything unusual of a suspicious nature (e.g., reaching under seat, discarding material out of window).
17. Brief relief supervisors or relief patrol about shift activities.
18. Observe buildings, people, vehicles and surrounding area while driving to detect suspicious behavior or situations; to detect violations of state, federal or other laws; and to identify law violators or locate missing or wanted persons.

19. Observe buildings, people, vehicles and surrounding area while on stationary patrol to detect suspicious behavior or situations; to detect violations of state, federal or other laws; and to identify law violators or locate missing or wanted persons.
20. Clean and maintain weapons.
21. Inspect vehicle prior to patrol to ensure that it is in proper working order (e.g., tires, oil, gauges, etc).
22. Operate equipment in vehicle (e.g., siren, radio, etc).
23. Inspect operator's license and vehicle registration.
24. Write citations for offenses (e.g., traffic citations).
25. Verify that license plate and vehicle identification number are compatible.
26. Evaluate statements, facts, and evidence to determine if prosecution for law violation should be instituted as a result of an operator's actions.
27. Monitor traffic to identify driver violations and vehicle defects.
28. Obtain information by radio or visually about accident scene prior to arrival.
29. Survey accident scene to determine priority of required actions.
30. Survey accident scene to make decision as to what assistance will be necessary (e.g., ambulances, fire equipment, additional troopers).
31. Formulate plan to secure accident scene from disturbance.
32. Inspect accident scene to identify and secure evidence.
33. Inspect accident scene to identify hazardous substances involved in accident.
34. Secure area in which hazardous substances are involved to ensure safety.
35. Identify person or company to contact for disposition of load (e.g., hazardous substances, perishable products) by reviewing bills of lading, shipping invoices, and other identification data.
36. Interview operators and/or occupants of vehicles involved in an accident, witnesses, and other officers involved to determine how and why the accident occurred.
37. Inspect damage to property and vehicles involved in accidents (e.g., to determine the point(s) of impact).
38. Observe marks on roadway and/or debris made or left by vehicles at scene of accident/hit and run to gather evidence (e.g., for future identification of hit and run vehicles).
39. Inspect suspected hit and run vehicle for damage.
40. Take samples of paint, grease, dirt, chrome strips, glass, etc., from suspected hit and run vehicle.

41. Compare evidence obtained from accident scene to locate vehicle and/or identify operator.
42. Inspect equipment (e.g., lights, brakes, steering, tires) of vehicles involved in accidents to determine the relationship of the condition of the equipment to the accident.
43. Take photographs of vehicles, roadway, skid marks, specific damaged parts, overall accident scene, view obstructions, and highway hazards to provide photographic evidence.
44. Estimate and/or measure skid marks and other marks on roadway as part of accident investigation.
45. Inspect damage to vehicles and fixed property for documentation purposes.
46. Inspect surface of roadway to identify irregularities which may have contributed to the accident.
47. Inspect accident scene (e.g., skid marks, location of debris, final resting place of vehicles) to mentally evaluate and reconstruct the accident.
48. Compare personal evaluation and reconstruction of accident with facts, evidence, and statements of operators, occupants, and witnesses to determine cause of accident.
49. Arrange and obtain the extraction of body fluids (e.g., blood, urine) from pedestrians and operators killed in accidents and from operators not killed to use as evidence for prosecution.
50. Sketch scene of accident or crime in notebook.
51. Arrange for the removal of injured person or body of deceased from scene of accident.
52. Fill out Accident and Supplemental Accident Report forms, including accident diagram, to officially record facts and results of investigation.
53. Analyze and compare cases for similarities.
54. Evaluate crime scene (e.g., type of crime, means of entry and exit of criminal, damage to property) to determine investigative procedures to follow.
55. Determine objects to be dusted and fingerprinted.
56. Talk to victim of crime to explain procedures that will be followed in the investigation, to reduce anxiety, to provide information enabling the recovery of losses, and to provide victim with the information needed.
57. Interview victims or complainants of crimes to determine information and facts of crime and/or validity of complaint.
58. Interview suspect/accused to obtain background and personal history data to use in completing Initial Crime Report.
59. Present circumstances of crime, probable cause, and other evidence/facts to Magistrate in order to obtain arrest warrant and/or search warrant.

60. Determine whether reasonable suspicion exists to obtain and/or investigate or probable cause exists to arrest and/or search.
61. Conduct searches of persons, vehicles, and property to locate and collect evidence.
62. Evaluate evidence, statements, etc., to identify criminals.
63. Determine whether a given situation is a criminal or civil case.
64. Assess the validity of information received during police-related investigations.
65. Locate individuals (e.g., witnesses of crimes, suspects) who can provide information related to an investigation.
66. Search for and interview witnesses to crimes, accidental deaths, etc., to determine facts and obtain information regarding the incident.
67. Speak to complainant to inform him/her of results of an investigation and to assure him/her that proper action was taken and law was enforced.
68. Label and safeguard evidence.
69. Determine whether to issue a citation, warn violator, or make an arrest.
70. Investigate citizens' complaints (e.g., traffic violations, criminal violations).
71. Search the body and clothing of persons in custody to locate and remove offensive weapons or articles to perpetrate escape.
72. Arrest suspects and verbally advise them of their constitutional rights to ensure that they are aware of their rights.
73. Determine the need for further police action or for additional manpower by gathering and analyzing information (e.g., helicopter, dogs).
74. Talk with law enforcement officials from law enforcement agencies, by telephone, by uniscope, and in person, within and out of state to coordinate investigations and fugitive searches.
75. Determine when to use physical force.
76. Coordinate activities with other agencies to provide assistance.
77. Supervise the removal of hazards (e.g., wrecked or disabled vehicles, debris, spillage) to prevent accident and/or injury to others.
78. Look for missing, lost, or wanted person in patrol area.
79. Talk with physician and/or other personnel to receive information on the behavior characteristics and physical condition of mental patients and special instructions needed to develop plans for their handling and transportation.
80. Talk to individuals to diffuse domestic arguments.
81. Mediate disputes (e.g., between citizens, between citizens and officers, between officers).

82. Examine injured and wounded persons to evaluate type and severity of injuries and to determine first aid treatment that should be applied.
83. Administer first-aid treatment to injured and wounded persons.
84. Check to see whether person is injured or wounded.
85. Move injured persons (e.g., removing injured person from automobile).
86. Assess mental stability of subjects.
87. Notify witnesses and victims of crimes of scheduled hearings.
88. Meet with court officials (e.g., prosecutor) to discuss court procedures, status of specific case, or whether sufficient evidence exists.
89. Prepare for a hearing or trial by reviewing reports and notes and talking to other investigators, D.A., witnesses, or victim.
90. Compile documents and evidence for presentation at trial or hearing.
91. Testify as a witness in court.
92. Maintain various personal files/records for assistance in preparing reports, communicating information, staying updated on events, activities, pending investigations, etc.
93. Fill out various reports (e.g., initial and supplemental crime reports) to officially record results of investigation.
94. Document interview and descriptive information obtained from prisoners, suspects, or witnesses (name, address, phone, DOB, etc.).
95. Read legal documents, state and local statutes, and code book (e.g., case law, legal interpretation, legal transcripts).
96. Read professional journals, training manuals, bulletin board, or new and revised orders relating to the practices of the department to keep abreast of changes and/or current trends in work performed by the department.
97. Attend department training classes to improve skills.
98. Take citizen complaint by phone.
99. Inform next of kin, members of families, etc., of deaths of individuals or accidents causing injuries.
100. Perform inspection station record checks.
101. Participate during a funeral ceremony.
102. Deliver copies of citations to D.J. offices.
103. Handcuff prisoners.
104. Set up and maintain a road-block.

105. Conduct investigation to determine cause and origin of fires.
106. Evaluate situation in order to use proper techniques to approach a stopped suspect vehicle.
107. Coordinate with juvenile authorities in cases involving minors.
108. Complete forms involving a juvenile case.
109. Check structures where alarm systems have gone off.

Job Description of a Police Officer

Police officer is a non-exempt entry level law enforcement officer in the Police Department.

The following is a summary of essential duties of a police officer:

- (1) Operates a motor vehicle for extended periods of time in all environmental conditions and on occasion operates the vehicle at high speeds and in congested traffic situations.
- (2) Patrols assigned area of City and enforces state and federal laws and City ordinances; patrols and examines buildings and residences to detect suspicious conditions and handles situations accordingly.
- (3) Directs traffic in congested and emergency areas; reports safety hazards; responds to scene of accident, administers first aid, and investigates cause and files accident reports; issues citations to violators of traffic laws.
- (4) Visits the scene of crimes and accidents; searches for and preserves evidence; investigates and interviews victims, witnesses and potential suspects; apprehends those suspected of crimes or misdemeanors; participates in line-ups; makes oral and written reports; provides testimony in court.
- (5) Speaks before citizens and citizen's groups and participates in various training sessions.

The following are the minimum qualifications of a police officer:

- (1) Must be 21 years old. Must be able to qualify on the shooting range. Must be able to pass the Oklahoma Police Pension and Retirement System's medical standards and be State certified.
- (2) Ability to operate two-way radio, walkie-talkie in field situations, and to operate effectively radar equipment, breathalyzer, etc.; to perform routine preventative maintenance on vehicle.
- (3) Ability to read, understand and interpret ordinances, laws, and other operating procedures and communicate orally and in writing; ability to investigate crimes and do reports.
- (4) Ability to deal effectively with the public using tact and diplomacy and remain calm in emergency situations; provide constitutional requirements, and perform first aid and/or CPR.
- (5) Ability to make split second decisions that could affect the well being of the public, department, fellow employees, as well as the officer's safety. Ability to interface with other law enforcement personnel and safety personnel.
- (6) Ability and willingness to maintain strict confidentiality.
- (7) Must be able to respond to varying situations with tact and diplomacy and know how to deal with stressful, hostile or irrational persons, whether due to physical or mental disability, drugs, socio-economic differences, or other factors.

The following are the working conditions/physical requirements of a police officer:

- (1) Some exposure to unpleasant weather and requires continuous attention to safe working and operating procedures to ensure the safety of one's self and fellow citizens.
- (2) Possibility of body attacks while making an arrest; severe bodily harm while dealing with felons.
- (3) Must possess the physical strength and stamina to chase and subdue fleeing persons; to arrest them if necessary; and to bring them into custody.
- (4) Great probability of working rotating shifts, extended hours, emergency call out, and to testify at court on days off.
- (5) Must have the physical strength and stamina to rescue victims.
- (6) Must have the visual acuity to identify suspects, detect danger, read licenses and tags, etc.
- (7) Must possess the aural acuity to understand conversation in quiet and noisy environments, understand radio transmissions, distinguish between car backfires and gun shots, determine location of persons in distress, etc.
- (8) Must be able to communicate effectively to transmit information via the radio, talk to victims, suspects, etc.

Key II
Job Tasks-Police Officers

A. Tasks Requiring Lift and Physical Exertion

1. Carry evidence.
2. Lift and carry stretchers, people, barricades, portable signals.
3. Force open doors (pry, kick, pulling, pushing).
4. Force open windows (pry, push).
5. Crawl through windows.
6. Jump hedges, fences.
7. Dodge low hanging objects while running.
8. Dodge around objects while running.
9. Running uphill, long distances.
10. Climbing fire escapes, ladders, hills.
11. Walking and running on slippery surfaces.
12. Standing in position for long periods of time.
13. Up right - Police motorcycle.
14. Push - vehicle.
15. Perform strenuous activities with gas mask on.
16. Perform strenuous activities with flak vest on.

17. Subdue resisting suspect.
18. Drag suspect.
19. Remove object from suspect's hands.
20. Force resisting person into prone position.
21. Force resisting person into car.
22. Place cuffs on suspect.

23. Stand cuffed suspect on two feet.
24. Pin resisting suspect to car hood or wall for searching.
25. Maintain balance while warding off kicks and blows.

26. Applying restraining holds.
27. Use baton.
28. Strike with fist, kick.
29. Perform defensive manuevers (break choke hold, duck, (?))

B. Other Tasks

1. Patrol for long periods of time.
2. Drive vehicle under strenuous conditions (high speed, adverse weather conditions, crowded streets, traffic congestion, etc.)
3. Direct traffic flow.
4. Write reports, citations, etc.
5. Operate dash board controls in car.

C. Tasks Requiring Vision

1. Read road signs, house numbers and license plates from reasonable distance.
2. Read Daily Bulletins, reports.
3. Maintain night vision after sudden changes in light.
4. Recognize colors - stolen cars, suspect descriptions.
5. Drive vehicle at normal and/or high speeds.
6. Perceive objects while chasing suspects.
7. Write reports, citations, daily log sheets.
8. Watch for suspects, stolen cars, open doors, etc.
9. Provide description of suspect - vehicles
10. Search dangerous premises for purposes of apprehending suspect.
11. Defend self or others from an on duty attack.
12. Use firearms.
13. Subdue and/or disarm resisting offender.
14. Determine spatial orientation of objects.

D. Tasks Requiring Hearing

1. Receive commands under all types of conditions, in crowds, at emergency scenes.
2. Receive radio messages under all types of conditions - noisy.
3. Converse with other people - witnesses, suspects, victims, fellow officers.
4. Recognize sounds when pursuing suspect, driving a car.
5. Converse over the telephone.

E. Tasks Requiring Speech

1. Give orders to subordinates.
2. Transmit radio messages.
3. Converse with other people - witnesses, suspects, victims, other officers.
4. Testify in court.

F. Tasks Associated with Firearms

1. Fire weapon.
2. Hold and fire shotgun.
3. Fire weapon repeatedly.
4. Load weapon.

Patrol Officer Task Statements

<u>Count</u>	<u>Task #</u>	<u>Dimension Definition</u>
		<u>01 Routine Patrol/Shift Change Activities:</u> Activities performed on a routine basis during each tour of duty. These include tasks performed at the beginning of each shift in preparation for duty, at the end of each shift, and during each shift while engaged in preventive patrol.
4	001	Inspect patrol vehicle for weapons and contraband after prisoner transport and before starting shift.
2	002	Stop vehicles to investigate, cite or arrest occupants.
1	003	Call dispatcher to report crime in progress.
5	004	Clean and inspect weapons.
1	005	Check shotgun in vehicle at beginning of shift.
1	006	Observe occupants of stopped vehicles for any unusual actions.
2	007	Identify wanted persons or vehicles.
2	008	Check for wants/warrants on persons through LEADS, RCIC, NCIC.
9	009	Check condition of assigned patrol equipment an vehicle.
44	010	Patrol locations on beat or in district which are potentially hazardous to citizens (e.g., construction site, attractive nuisance, Signal 33 locations).
1	011	Work with partner in patrol vehicle.
23	012	Check buildings on patrol for PFO (place found open).
5	013	Inform dispatcher of changes in conditions at a police incident.
1	014	Refer crime to investigators for follow-up as appropriate.
5	015	Establish field contacts and intelligence sources (e.g., bar owners, taxi drivers, informants).
1	016	Maintain Division Procedure Manual.
2	017	Take complaints from citizens in street and respond accordingly.
1	018	Check oil in vehicle at beginning of shift.
7	019	Talk with people on beat or in district to establish rapport.

- 3 020 Prepare clothing and personal equipment to satisfy inspection requirements.
- 2 021 Investigate unusual orders.
- 22 022 Walk a foot patrol.
- 2 023 Investigate unusual sounds.
- 5 024 Identify and request equipment repairs.
- 1 025 Participate in directed patrol activity (Signal 3).
- 1 026 Request Sergeant's back-up assistance and advice as necessary.
- 2 027 Take car to garage for repairs.
- 1 028 Obtain forms and other such supplies from supply room.
- 1 029 Deliver mail and messages between districts, and other police facilities.
- 7 376 Escort money, valuables or people to provide security.
- 21 385 Communicate using radio.
- 1 387 Issue citations and courtesy notices to citizens.
- 3 407 Check parking meters for over time parking violations and issues tickets.
- 31 408 Directs traffic at intersections.
- 2 415 Fulfills all duties of basic patrol officer.
- 2 416 Assumes duties of Sergeant when assigned and/or warranted.
- 18 429 Investigates suspicious condition.
- 5 430 Assume command in absence of superiors.

02 Vehicle Operation

- 1 030 Operate vehicle while using lights, siren, etc.
- 1 031 Operate vehicle in driving rain.
- 1 032 Operate vehicle on snow covered road.
- 1 033 Operate vehicle on ice covered road.
- 24 388 Operate vehicle under various conditions.

03 Traffic Accident and Control: Procedures to be followed at an accident scene in order to document the facts of the incident, obtain assistance for injured victims, remove damaged vehicles from the road and ensure continued flow of traffic. Also includes traffic control activities performed in instances other than those involving auto accidents.

- 3 034 Take precautions to prevent additional accident at accident scene (use of flares, cones, etc.).
- 1 035 Review accident with traffic in instances of serious injury or fatality.
- 2 036 Close off areas to traffic (e.g., accident, fire, explosion).
- 1 037 Place barricades or flares to warn motorists of hazardous spots on roadway.
- 1 038 Direct traffic using flare pattern or traffic cone pattern.
- 5 039 Determine contributing factors to an accident.
- 2 040 Diagram accident scene.
- 1 041 Direct traffic using flashlight or hand signals.
- 2 042 Inspect vehicles involved in accident.
- 1 043 Control spectator access to crash scene.
- 3 044 Determine points of impact or points of occurrence.
- 8 045 Remove hazards from roadway or at accident scene (e.g., dead animals, debris, etc.).
- 14 046 Report hazardous roadway conditions and defective traffic control devices.
- 3 047 Identify persons involved in an accident.
- 2 048 Inspect operator's license and vehicle registration.
- 3 380 Extinguish vehicle fires.
- 4 390 Request emergency assistance for traffic accident.
- 22 422 Investigate motor vehicle or aircraft crashes.
- 1 049 Erect emergency traffic control signals and signs.
- 2 050 Identify owners of vehicles involved in accident.
- 2 051 Direct activities at scene of accident investigation.

- 1 052 Inspect vehicle for vehicle identification number (VIN).
- 2 053 Locate and interview witnesses to traffic accidents.
- 2 054 Direct pedestrian and vehicular traffic.
- 5 055 Issue citations.
- 1 056 Instruct persons involved in an accident to exchange necessary information.
- 2 057 Record motor vehicle damage in accident report (e.g., under or over \$150).
- 2 058 Move disabled vehicles from roadway with wrecker, push bumpers or by hand.
- 15 059 Assist stranded motorists.
- 1 060 Inform driver of towed car's location.
- 04 Community Service, Security, and Safety: Activities which involve providing assistance to the general public and other public service agencies, providing crime prevention information to individual citizens and organizations, and taking steps to investigate and eliminate public safety hazards.
- 2 061 Request emergency transportation for seriously injured person.
- 2 062 Transport emotionally disturbed person.
- 1 063 Assist Fire Department at their request (e.g., with unmanageable and/or disturbed persons, traffic violators).
- 1 064 Provide back-up assistance to County and/or Children's Protective Services when they pick up children in custody matters.
- 1 065 Transport people in need of medical treatment to a hospital.
- 6 066 Advise property owners and/or inhabitants of potentially hazardous conditions.
- 3 067 Transport injured person.
- 1 068 Confer with hospital psychiatrist and/or staff concerning disturbed person's condition and admission to hospital.
- 2 069 Comfort emotionally upset person.
- 2 070 Monitor activity at schools (School Resource Officer, SRO).
- 3 071 Transport persons needing assistance.

- 1 072 Report traffic information and conditions to civilian helicopter traffic units.
- 4 073 Advise citizens on personal security.
- 4 074 Deliver emergency message (e.g., injuries, death).
- 1 075 Organize neighborhood watch groups.
- 1 076 Advise residents on ways to make their homes/apartments more secure.
- 1 077 Advise victim of procedures to prosecute.
- 2 078 Talk with family of adult suspect or defendant (advise, inform, notify, counsel).
- 2 079 Advise business people on ways to make their facilities more secure.
- 3 080 Assist elderly or disabled persons with mobility problems.
- 8 081 Report potholes, water and sewer lines, utility poles and lights, and utility cables to appropriate agency for maintenance and repair.
- 1 082 Refer citizens to private program or county prosecutor.
- 2 083 Restore peace at loud parties.
- 2 084 Refer complainant to appropriate agency (e.g., postal authorities, social service agency, welfare).
- 1 085 Meet with teachers and school officials to discuss ways to provide better security.
- 1 086 Explain court procedures to suspects, victims and witnesses.
- 1 087 Refer civil disputants to courts as appropriate (e.g., for landlord problems).
- 8 088 Respond to general information questions from public.
- 13 089 Conduct community relations programs (e.g., safety programs, crime prevention, tours).
- 2 090 Advise citizens when (and that) a situation is a civil matter.
- 8 091 Give talks on law enforcement, etc., to community organizations, businesses and/or schools.
- 2 092 Provide information to individuals in need of social service referral information.

- 8 093 Explain state and city laws and procedures to citizens.
- 1 094 Investigate damage to roadway.
- 1 095 Notify citizens of damage to their property.
- 3 096 Investigate charges involving animal complaints (e.g., cruelty, barking dogs, dead deer).
- 1 097 Investigate housing complaints (beat, plumbing, leaks).
- 17 394 Advise and counsel persons relative to problems, situations, etc.
- 4 401 Officially communicate with news media.
- 1 426 Direct or request citizens assistance.
- 1 427 Notify victim's family members.
- 1 098 Advise citizens to see an attorney.
- 8 099 Give street directions.
- 1 417 Handles public relations tasks, as assigned, including public contracts, speeches, and public demonstrations.
- 1 418 Acts as liaison between various public entities and police in describing and relating police functions during ride-along programs and other information referrals.
- 1 420 Serves as an intermediary between first line management and the basic police officer in relating and dealing with training, special problems, and assigned supervisory duties.
- 05 Interviews/Preliminary Investigations: Activities conducted in the course of performing a preliminary investigation. Such activities include interviewing witnesses, suspects, and complainants; observing suspicious individuals or areas; and exchanging information with other officers, supervisors and investigative units.
- 3 100 Detain persons at crime scene for questioning.
- 5 101 Question suspicious persons.
- 7 102 Interview suspicious person.
- 12 103 Question suspects.
- 14 104 Locate witnesses to a crime.
- 7 105 Consult with investigators or other police personnel to obtain or provide assistance in investigations and to exchange information.

- 3 106 Track persons from crime scene (e.g., footprints in snow or mud).
- 4 107 Provide intelligence information on known or suspected offenders to appropriate department units.
- 2 108 Interview individuals (e.g., family, friends, co-workers, and employers), to locate missing or wanted persons.
- 32 109 Interview complainants, witnesses, etc.
- 3 110 Obtain sworn confessions or other sworn statements from suspects, witnesses and victims.
- 2 111 Use computer to investigate status of suspects, vehicles, warrants, property.
- 2 112 Conduct on-the-scene identifications of suspects (e.g., show-ups).
- 2 113 Show photo array to crime victim for purpose of identifying suspect.
- 6 114 Conduct surveillance of individuals or locations.
- 2 115 Analyze and compare incidents for similarity of modus operandi.
- 1 116 Provide information to Intelligence Unit.
- 9 117 Conduct surveillance of gangs or groups of people to suppress unlawful activity.
- 1 118 Remove complainant/suspect from crowd to secure information.
- 2 119 Review records and pictures to identify suspects.
- 1 120 Drive victim around area to identify suspect.
- 1 121 Determine whether recovered property is linked to a previous crime.
- 15 378 Serve as on the scene evidence officer.
- 24 389 Investigate citizen complaints to determine if an offence occurred.
- 2 122 Compare photographs of individuals for similarity in appearance, photograph format, background, etc., to select photographs or use in photo line-up.
- 2 123 Establish M.O. of suspect.
- 1 124 Request documents in records systems (e.g., fingerprint card, reports).
- 3 125 Utilize department records to assist in investigation.
- 1 126 Discuss facts of crime with district or relief Sergeant and/or supervisor to determine proper charges.

- 2 127 Interview medical personnel to obtain specific information.
- 4 128 Organize and conduct station house line-up.
- 1 129 Consult with supervisor to determine need for follow-up investigation or other special measures (e.g., surveillance), in specific cases.
- 06 Apprehension, Arrest, Detention: Activities performed for the purpose of locating, apprehending, restraining, arresting, and detaining suspects to be taken into custody.
- 2 130 Draw weapon.
- 3 131 Handcuff or otherwise restrain suspects or prisoners.
- 3 132 Conduct frisk or pat down.
- 3 133 Discharge firearm.
- 1 134 Describe suspect to dispatcher.
- 3 135 Restrain violent, disorderly prisoners.
- 4 136 Guard arrested suspects outside of detention facility.
- 2 137 Describe person to other officers (e.g., suspects, missing persons).
- 20 138 Transport prisoners.
- 5 139 Inventory prisoner's property when confiscating money, drugs, weapons, etc.
- 2 140 Plan strategy for making arrest.
- 1 141 Pursue fleeing suspect on foot, on mounted patrol, or in available vehicle.
- 1 142 Search for suspect.
- 14 143 Process arrested person through Justice Center Intake.
- 2 144 Establish barrier or outer perimeter using patrol vehicle to assist in apprehending suspect (i.e., quadrant formation).
- 6 145 Request verification of warrants before serving.
- 1 377 Assist jailer in emergency situation.
- 1 398 Place holds on prisoner and notify deputy holding warrant.
- 1 399 Issue pick up or wanted notices for people.

- 2 400 Arrest and detain mentally ill persons.
- 1 440 Maintains security standards governing conduct of inmates.
- 1 441 Escorts inmates inside facility.
- 23 146 Arrest person without a warrant (e.g., domestic violence incidents).
- 32 147 Arrest person with a warrant.
- 5 148 Advise persons of constitutional rights.
- 1 149 Compare fingerprints to verify identity of prisoners.
- 3 150 Swear out (sign) complaints or warrants.
- 1 151 Compare photographs to verify identity of prisoners.
- 2 152 Take into custody person detained by citizen (e.g. drunk driver trying to leave the scene).
- 1 153 Refer to Criminal Code for specific charges.
- 2 154 Permit prisoners to contact legal counsel.
- 3 155 Explain nature of complaints to offenders.
- 1 156 Answer questions from prisoners.
- 2 412 Takes fingerprints.
- 1 413 Supervises conduct of inmates.

07 Search and Seizure: Activities performed in the process of searching vehicles, persons and/or premises; or seizing contraband and/or property.

- 4 157 Conduct search of arrested person.
- 2 158 Seize contraband, weapons and stolen property from suspects.
- 7 159 Search persons, premises, automobiles, or property (e.g., in hot pursuit) with consent, incident to arrest, etc.
- 7 160 Search automobiles, premises, persons, and property with probable cause.

- 2 161 Search detention areas for weapons.
- 1 162 Search for drugs and contraband during search warrants.
- 2 163 Plan strategy for conducting search.
- 3 164 Conduct search of premises, under supervision.
- 2 165 Take custody of found property.

08 Traffic Enforcement: Maintain and enforce traffic laws. Includes observing violations, issuing warnings or citations , towing and impounding vehicles, and making arrests for such violations as reckless or drunk driving. Also includes explaining traffic laws and procedures to the public.

- 1 166 Arrest intoxicated driving suspect and complete appropriate forms.
- 2 167 Evaluate driver's capability to safely operate vehicle (excluding instances involving drugs or alcohol).
- 5 168 Arrest or issue citations to reckless drivers.
- 2 379 Use mathematical formulas to calculate speed.
- 6 391 Operate breathalyzer instrument to test blood alcohol content.
- 2 393 Explain implied consent statute to persons arrested for DUI.
- 4 169 Administer field sobriety test.
- 1 170 Investigate charges of D.C.1. and D.U.I. (DC-Intox and Driving Under the Influence)
- 3 171 Arrest traffic violators.
- 3 172 Follow suspect vehicle to observe traffic violations.
- 8 173 Clock vehicles using speed enforcement devices (e.g., K-55 Radar).
- 16 174 Issue traffic citations.
- 6 175 Monitor traffic for violations.
- 9 176 Warn offenders in lieu of arrest or citation.

- 1 177 Explain traffic laws to pedestrians and motorists.
- 3 178 Visually estimate speed of vehicles.
- 1 179 Explain legal procedures to traffic violators regarding citations.
- 3 180 Issue verbal and/or written warning to traffic violators.
- 1 181 Enforce (write) pedestrian violations.
- 6 182 Issue parking citations.
- 3 183 Check abandoned vehicle status with LEADS, RCIC, NCIC.
- 9 184 Inspect, search and report abandoned vehicles to be logged for towing to Impounding Lot.
- 2 185 Impound vehicles.
- 1 186 Monitor proper use of temporary parking restrictions.
- 1 187 Bring suspect to Clerk of Courts for bail payouts (e.g., for payouts of traffic tickets).
- 26 421 Enforce traffic law and patrol highway.

09 Dealing with Misdemeanor Offenses: Criminal and Civil:
Preliminary investigation of less serious offenses including violations of municipal ordinances, civil matters, as well as domestic disputes.

- 1 188 Separate individuals involved in dispute.
- 10 189 Mediate domestic disputes.
- 1 190 Investigate charge of possession and/or use of controlled substances.
- 1 191 Investigate charge of possession and/or use of marijuana.
- 1 192 Investigate charge of disorderly conduct.
- 2 193 Enforce court issued orders (e.g., Temporary Protection Orders, Temporary Restraining Orders, etc.).
- 1 194 Investigate charge of menacing.

- 2 195 Mediate civil disputes.
- 1 196 Investigate injuries to prisoner.
- 2 197 Enforce municipal ordinances relating to miscellaneous matters.
- 1 198 Investigate charge of interfering with custody.
- 1 199 Investigate charge of trespass.
- 1 200 Investigate charge of intimidation.
- 1 201 Investigate charge of criminal mischief.
- 1 202 Check peddlers/vendors licenses.
- 1 203 Investigate charge of loitering.
- 1 204 Investigate charge of telephone harassment.

10 Dealing with Property Crimes: Preliminary investigation
of property crimes.

- 2 205 Investigate charge of robbery.
- 2 206 Investigate charge of burglary.
- 2 207 Investigate charge of Grand Theft.
- 1 208 Investigate charge of Petit Theft.
- 3 209 Investigate charge of criminal possession of or receiving stolen
property.
- 1 210 Investigate suspicious property in plain view.
- 3 211 Check status of stolen property through LEADS, RCIC, NCIC.
- 1 212 Investigate charge of unauthorized use of vehicle.
- 1 213 Investigate charge of illegal possession and/or use of a credit card.
- 1 214 Verify title information.
- 1 215 Investigate charge of unauthorized use of property.

2 216 Investigate and refer bad check charges to document squad.

11 Dealing with Serious Offenses: Activities performed in the process of responding to and investigating crimes in progress, as well as conducting preliminary investigations of serious offenses. Also includes referring serious crimes to appropriate investigative unit for follow-up.

1 217 Respond to crime in progress as dispatched or observed.

2 218 Investigate charge of homicide.

3 219 Investigate charge of rape.

3 220 Investigate charge of other sex offenses.

3 221 Investigate charge of endangering the welfare of a minor.

1 222 Request back-up assistance.

2 223 Investigate charge of arson involving death.

1 224 Engage in high speed pursuit or response driving in congested area in accordance with Division Procedures.

1 225 Investigate charge of weapons offenses.

1 226 Conduct evacuation of building, vehicle and surrounding areas in response to bomb threat.

2 227 Participate in search for missing child.

2 228 Engage in high speed pursuit or response driving on open road in accordance with Division Procedures.

1 229 Engage in high speed pursuit or response driving off road in accordance with Division Procedures.

1 230 Refer charges of a serious nature (e.g., homicide) to C.I.S..

1 231 Stake-out area surrounding crime in progress.

1 232 Investigate charge of anticipatory offenses (e.g., anticipated bank robbery).

2 233 Set up quadrant during search for critical missing persons.

- 1 234 Refer rape victim's case to Violent Crimes Section.
- 1 235 Investigate charge of resisting arrest.
- 2 236 Investigate charge of kidnapping.
- 1 237 Follow departmental procedures in child search.
- 2 238 Direct actions of officer(s) arriving to assist.
- 2 239 Investigate charge of criminal child enticement.
- 1 240 Analyze crime scene to determine need for specialists (e.g., latent fingerprint person, investigator, covert cover unit).
- 3 241 Search for other missing persons.
- 1 242 Respond to and conduct preliminary investigation of endangerment.
- 2 243 Investigate charge of assault.
- 1 244 Investigate charge of satanic worship or ritualistic activities.
- 1 245 Review ten most wanted bulletins.
- 2 246 Conduct liquor/prostitution/other related vice investigations.

12 Special Operations: Activities that, by definition, fall outside the realm of the patrol officer's normal day to day activities.^a Relevant situations usually involve one or more individuals who are in danger of serious bodily harm or death (e.g., bomb scare) or potentially volatile situations (e.g., demonstrations). Such situations typically require a quick response, the coordination of a large number of police and other agency personnel, and the application of special procedures unique to the particular emergency situation.

- 2 247 Confront barricaded suspects and cause them to surrender.
- 5 248 Evacuate areas endangered by explosive or toxic gases, liquids or other materials spilled by accident.
- 2 249 Mediate hostage situations (there is a hostage negotiator, but patrols often get there first).
- 1 250 Notify SWAT commander of hostage/barricaded suspect situation.

- 4 251 Rescue stranded persons during floods, snow storms, and other disasters.
- 5 252 Search for bombs.
- 2 253 Assess hostage/barricaded suspect situation and secure the scene.
- 1 254 Direct helicopter to location of search or accident location.
- 1 255 Talk with persons attempting to commit suicide to get them to stop their attempt.
- 9 256 Control hostile groups (e.g., demonstrators, rioters, bar patrons).
- 2 257 Evacuate persons from dangerous area.
- 2 258 Use chemical mace (PR-24) as necessary.
- 5 259 Participate in sweeps (raids).
- 1 260 Participate in search for escaped prisoner.
- 2 261 Secure accident or disaster scene.
- 2 262 Guard and secure premises.
- 5 263 Patrol riot stricken or civil disturbance areas.
- 2 264 Stand stationary guard position (hospital detail).
- 1 375 Direct activities of citizens in hazardous situations.
- 4 396 Perform humanitarian relays (blood, human organs, etc.)
- 2 405 Communicate with management and labor over strike disturbances.
- 1 406 Request and coordinate assistance from a military air craft MAST program
- 1 423 Supports and assists local, federal and other state law enforcement agencies.
- 2 433 Operates weapons as needed.
- 8 265 Conduct surveillance in plain clothes as assigned.
- 1 266 Direct actions of public service personnel arriving to assist.

- 1 267 Patrol riot stricken or civil disturbance areas.
- 1 268 Work plainclothes under directed patrol procedures.
- 2 269 Locate and observe crowd agitators.
- 1 270 Investigate charge of inciting a riot.
- 2 271 Observe crowds at large gatherings (e.g., concerts, athletic events, demonstrations, strikes) to detect problems or illegal activities.
- 3 272 Participate in large scale searches.
- 1 273 Investigate charge of riot.
- 13 274 Control non-violent crowds.
- 2 275 Patrol/report areas containing labor pickets, marchers, or demonstrators.
- 9 276 Work special events or details.

13 Preliminary Investigation and Evidence Preservation:
Activities performed in order to secure an incident scene, and to collect/preserve physical evidence that may shed some light on the facts of the incident.

- 5 277 Secure crime scene.
- 1 278 Examine dead body for wounds and injuries.
- 3 279 Request lab analysis of suspected narcotics.
- 1 280 Request lab analysis of gun used by police officer involved in shooting.
- 1 281 Turn in and mark (initial) recovered weapon.
- 2 282 Request lab analysis of other evidence such as blood or alcohol.
- 1 283 Test fire confiscated weapon used in crime.
- 9 284 Locate, dust and lift latent fingerprints.
- 3 285 Send for and gather evidence and property at crime scene.
- 2 286 Record location of physical evidence at scene.

- 1 287 Request that county strip or cavity search prisoners.
- 3 288 Arrange for obtaining blood or other chemical tests (e.g., intoxylizer
or urine).
- 3 381 Schedule polygraph examinations for suspects.
- 3 382 Witness autopsy.
- 1 383 Apply gun shot residue test.
- 2 395 Locate persons using information sources such as utility companies,
schools, etc.
- 2 397 Verify reliability and credibility of witnesses.
- 3 402 Investigate deceased persons.
- 1 409 Investigates and follows up dues.
- 2 428 Photograph persons.
- 4 289 Document chain of evidence.
- 1 290 Initial/mark evidence.
- 15 291 Bag and tag evidence.
- 1 292 Turn in and mark (initial) shells.
- 1 293 Recover shells from shotgun run.
- 1 294 Protect traffic accident physical evidence for collection.
- 1 295 Examine physical evidence to reconstruct crime.
- 1 296 Fingerprint dead bodies.
- 3 297 Measure and/or estimate skid marks.
- 2 298 Turn in and mark (initial) seized or found property.
- 2 299 Search for and collect physical evidence from accident scene.
- 3 300 Roll fingerprints of arrested person.
- 7 301 Use cameras and recording equipment for collection of evidence or
case preparation.
- 2 302 Collect evidence by means of hidden electronic equipment.

14 Court Related Activities: Activities performed to prepare for and give testimony; enforce court orders.

- 2 303 Prepare or assist in preparation of warrant or affidavit and swear to it in court.
- 5 304 Present testimony before a grand jury.
- 35 305 Testify in a variety of cases (e.g., criminal, civil and administrative).
- 3 306 Present evidence in legal proceedings.
- 3 307 Prepare affidavits for arrest or search warrants.
- 3 308 Review reports and notes for court testimony.
- 8 309 Prepare case jackets for use in court.
- 1 310 Obtain evidence from Property Room and present in court.
- 4 311 Confer with City or County Prosecutor concerning accused and charge.
- 7 312 Confer with City or County Prosecutor prior to testimony regarding case.
- 1 392 Interpret codes and statutes to assist in placing charges.
- 1 424 Serve as expert witness in legal proceedings.
- 1 425 File complaints with state attorney.
- 14 432 Serves warrants.
- 1 434 Guard jury room.
- 1 435 Provide for jury needs.
- 1 436 Maintains order in court room.
- 2 313 Prepare witnesses for testimony.
- 1 314 Confer with City or County Prosecutor regarding warrant.
- 1 315 Answer inquiries about prisoners (e.g., from probation officers).
- 2 316 Confer with City or County Prosecutor following legal proceedings.

- 1 317 Testify at parole hearings.
- 12 318 Serve subpoena to witness.
- 1 414 Prepares inmates for court.
- 1 438 Collects monies.

15 Record and Report Management: Activities performed in order to maintain documentation of: the facts of an incident; statements given by complainants, witnesses, or suspects; and the activities performed by the patrol officer in the normal course of his/her duties. Also includes completion of forms required to obtain arrest and search warrants.

- 2 319 Complete forms for obtaining arrest warrants.
- 1 320 Identify instances which warrant the completion of Juvenile Complaint Forms (i.e., instances of neglect, abuse) and submit these forms to investigators in charge of personal crimes.
- 3 321 Fill out arrest reports and warrants.
- 3 322 Write reports consisting of several short descriptive phrases, sentence fragments or very short sentences (e.g., offense report).
- 1 323 Conduct/complete Field Interrogation Report (FIR cards) on suspicious persons (e.g., person hanging around building where many robberies have been reported).
- 3 324 Summarize in writing statements of witnesses and complainants.
- 3 325 Write in-depth narrative reports containing complete sentences and paragraphs (e.g., investigative reports, supplemental/follow-up reports).
- 1 326 Prepare complete statement of charges.
- 2 327 Fill out accident reports.
- 2 328 Complete reports consisting primarily-of check-off boxes or fill-in-the blanks (e.g., accident reports).
- 3 329 Maintain vehicle log.
- 1 330 Fill-out departmental records/forms as required and/or appropriate.

- 8 331 Fill out Daily Activity Sheet.
- 3 332 Fill out complaint reports.
- 1 333 Complete Form DL-15 to identify unsafe drivers and submit this form
along with traffic tag to driver and to state.
- 1 334 Type or block print reports.
- 1 335 Fill out form for recovered property.
- 1 336 Fill out Form 316: Aided Cases Form.
- 35 386 Complete various forms and paperwork.
- 1 437 Maintain records.
- 1 439 Reviews reports.

16 Emergency Medical Activities: Procedures followed in
order to determine the status of an injured individual and
administer appropriate first aid.

- 1 337 Rescue drowning person.
- 1 338 Apply first aid to treat for gunshot.
- 4 339 Administer cardio-pulmonary resuscitation (CPR).
- 4 340 Administer mouth-to-mouth resuscitation.
- 1 341 Apply first aid to treat for amputations.
- 1 342 Deliver babies.
- 1 343 Apply first aid to treat for heart attack.
- 1 344 Apply first aid to treat for stroke.
- 1 345 Apply first aid to treat for electric shock
- 1 346 Apply first aid to control bleeding.
- 1 347 Apply first aid to treat for heat stroke.
- 1 348 Apply first aid to treat for burns.
- 1 349 Apply first aid to treat for heat prostration.
- 1 350 Apply first aid to treat for shock

- 1 351 Apply first aid to treat for seizure.
- 1 352 Apply first aid to treat for convulsions.
- 1 353 Apply first aid to treat for diabetic reactions.
- 1 354 Apply first aid to treat for puncture wounds.
- 1 355 Apply first aid to treat for lacerations.
- 1 356 Apply first aid to treat for overdose.
- 1 357 Apply first aid to treat for abrasions.
- 1 358 Transport dead body from accident/crime scene to University Hospital/Morgue.
- 1 359 Release D.O.A.s to funeral home with coroner's permission.
- 1 374 Search unconscious or helpless persons in emergencies (e.g., look for medica alert, ID card)
- 26 384 Apply first aid in serious situations.
- 24 403 Apply first aid in minor injury situations.
- 1 431 Engage in physical fitness activities.
- 17 Dealing with Juveniles: Procedures followed when dealing with juvenile offenders and their families.
- 3 360 Apprehend juvenile offenders.
- 9 361 Investigate charge of juvenile offenses.
- 3 362 Process juveniles according to department procedures.
- 1 363 Transport juveniles home or to juvenile detention facility as appropriate.
- 1 364 Detain juvenile if no adult takes him/her or there is no adult to whom juvenile can be released.
- 5 365 Counsel juveniles.
- 4 366 Talk with family of juvenile suspect or defendant (advise, inform, notify, counsel).
- 1 367 Release juvenile to parent/guardian.

18 Training and Development: Participation in training and education programs to teach or improve skills or knowledge. Included are activities designed to keep officers current with changes in laws, policies and regulations.

- 7 368 Participate in firearms training.
- 12 369 Attend in-service training.
- 3 370 Read staff notes which are distributed at roll call training regarding new procedures, changes in Federal or State laws, etc.
- 4 371 Use street guide to become familiar with district and district boundaries.
- 2 372 Formulate and raise field issue to Planning, Research, and Development; and Solicitor/Prosecutor's Office for advice.
- 3 373 Review legal bulletins as issued.
- 15 404 Instruct on the job training.
- 2 410 Receive on the job training.
- 1 411 Receive work experience in all police department divisions, bureaus and units.
- 2 419 Adapts to and performs duties relevant to Special Training provided to facilitate more complex job related assignments.

JOB DESCRIPTION
POLICE OFFICER

GENERAL DEFINITION

This is general duty police work involving the protection of life and property, enforcement of laws, and investigation of crimes in an assigned area during a specified (rotating) shift.

Work assignments are performed under the direction of a police officer of higher rank and should be carried out in accordance with established rules, policies, and procedures.

The employee has a controlling impact on the prevention of crime and should be able to act without direct supervision. Work requires regular exposure to uncontrolled and/or unpredictable conditions and frequent, moderate physical exertion.

TYPICAL EXAMPLES OF WORK (ILLUSTRATIVE ONLY)

Patrols a designated area of the city, on foot or horseback or in a car, motorcycle, or police boat to prevent and discover the commission of crime and to enforce traffic and parking regulations; answers calls and complaints, taking the necessary police actions.

Takes proper police action at scene of crime, administers first aid, gathers evidence, locates witnesses and makes arrest; appears in court to present evidence and testify against persons accused of crimes.

Investigates persons suspected of being engaged in gambling, illegal sale of liquors, or other vice activities, checks the operation of taverns, poolrooms, dance halls, clubs, and similar establishments for compliance with laws and ordinances.

Ascertain validity of information or secures evidence for the arrest of persons alleged to have committed a crime; searches for and preserves evidence; interviews suspects, prisoners, complainants, and witnesses to obtain information about crimes; reports automobile accidents, interviews witnesses, takes information, and makes detailed reports.

POLICE OFFICER

TYPICAL EXAMPLES OF WORK (ILLUSTRATIVE ONLY)

Investigates complaints concerning juveniles; discusses the case with complainant, juvenile, parents and others who may be able to aid in the case; investigates crimes by and against juveniles; testifies in court concerning case, visits neighborhood boy's clubs and recreation centers, counseling leaders on juvenile problems.

Serves in the district operations office to perform necessary clerical procedures connected with police work.

Performs related work as required.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES

Ability to cope with situations firmly, courteously, tactfully and with respect for the rights of others.

Ability to analyze situations quickly and objectively, and to determine a proper course of action to be taken.

Ability to understand and carry out oral and written instructions.

Ability to write and speak effectively.

Ability to complete satisfactorily the prescribed course of training at the police academy.

Ability to develop skill in the use and care of firearms.

Ability to learn clerical procedures connected with police work.

Good general intelligence and emotional stability.

DESIRABLE TRAINING AND EXPERIENCE

Education equivalent to completion of a standard high school.

LICENSES, REGISTRATIONS AND/OR CERTIFICATES

Possession of a valid proper class motor vehicle operator's license issued by the Commonwealth of Pennsylvania prior to and during tenure of employment as a Police Officer.

NATURE OF WORK

This is general police work involving the enforcement of all applicable ordinances, statutes and laws in and for the City of Omaha involving: Crime prevention, investigation and detection, protection of life and property, traffic control and maintaining law and order in the community. Duties will be performed in uniform or civilian clothes as directed. Specific duties and assignments are received from a supervisor and are carried out in accordance with established rules, policies, and procedures. A Police Officer must, however, be able to act without direct supervision at all times.

MINIMUM QUALIFICATIONS

- Age: In order to comply with Nebraska State Statute 81-1410, an applicant must be at least 21 years of age prior to the start of training. Proof of age must be furnished at the time of application.
- Driver's License: An applicant must possess a valid current driver's license. Proof must be furnished at the time of application. The applicant must not have been convicted of driving while intoxicated in the two (2) years immediately preceding admission to training.
- Education: As required by Nebraska State Statute 81-1410, an applicant must have graduated from high school or must possess a certificate which certifies an educational development of at least a high school graduation level (G.E.D.). An applicant must also be able to read at the 11th grade level.
- Health: An applicant must be able to perform the physical requirements of the position. Mental and physical fitness will be determined by examination.
- Vision: An applicant must have uncorrected vision of not less than 20/200 using both eyes without squinting; correctable to 20/20 using both eyes without squinting. There must also be no evidence of irreversible disease which will affect the person's sight. Normal color vision.
- Residency: Persons hired as Police Officers are not required to reside within the City limits of Omaha.
- Citizenship: In order to comply with Nebraska State Statute 81- 1410, an applicant must be a citizen of the United States.
- Conviction Record: In order to comply with Nebraska State Statute 81-1410 the applicant must be free of any conviction by any state or the United States for a crime punishable by imprisonment in a penitentiary for a term of one (1) year, or more, or by any foreign government for a crime which would be punishable by imprisonment for a term of one year, or more, if committed in Nebraska, or has been pardoned for such offense, or has had a conviction for such offense overturned, or reversed by a court of competent jurisdiction.

POLICE OFFICER

KIND OF WORK: Under general supervision, performs responsible law enforcement duties in the enforcement of laws and ordinances for the protection of life and property in an assigned area during a specified period. Performs routine police assignments, including restoring and maintaining order. Conducts preliminary investigations. Assists in the apprehension of criminals. Also performs special assignments requiring specialized skills or abilities. Duties may involve elements of danger and do involve emergencies which demand the employee being able to exercise sound judgment and act without direct supervision.

EXAMPLES OF WORK: Responds to complaints concerning automobile accidents, robberies and other violations of laws. Interviews persons making complaints and inquiries, and attempts to make proper disposition or direct them to proper authorities. Investigates suspicious activities and enforces all laws and ordinances. Watches for and makes investigations of wanted and missing persons, stolen cars, and property. Conducts preliminary investigations. As an Evidence Technician, processes a crime scene for evidence; photographs the scene of the crime, searches for and lifts fingerprints, takes tire tracks and footprint impressions, and prepares the evidence to be presented in court. As an investigator, checks and investigates pawn shops and stores for stolen articles, makes traffic and accident investigations. Performs special assignments such as guarding and related duties as required.

KNOWLEDGES, SKILLS AND ABILITIES: Good general intelligence and emotional stability. Good judgment with ability to firmly, courteously and tactfully handle situations with respect for the rights of others. Ability to analyze situations quickly and objectively. Good powers of observation and memory. Ability to compose and write legibly. Ability to speak effectively. Favorable past employment; excellent physical condition with physical strength and agility.

OPEN REQUIREMENTS: Must possess current Certificate of Recognition, Certificate of Compliance or Certificate of Comparative Compliance in Law Enforcement issued by the Florida Criminal Justice Standards and Training Commission, or be eligible to obtain the Certificate of Comparative Compliance upon successful completion of refresher training at the Police Academy. Must pass the physical fitness and agility program. Must pass medical examination, including back X-Ray, EKG, hearing test, and a visual examination to determine that applicant has normal night vision and color vision, good peripheral vision, and is free from any degenerative eye disease. Must pass psychological screening program. Must undergo a background investigation including polygraph examination. Will be tested for controlled substances prior to employment and may be tested for controlled substances during employment in this classification. Must satisfactorily complete refresher training at the Northeast Florida Law Enforcement Training Center and the Field Training Program prior to assignment as a regular patrol officer. A valid Florida Driver's License is required prior to appointment and must be maintained during employment in this class.

PROMOTIONAL REQUIREMENTS: All Police Recruits who have satisfactorily completed the Academy Training Program shall be promoted to Police Officer.

NOTE: The probationary period for Police Officer is one year.

OCCUPATIONAL CODE: T266

APPROVED: 10/10/68

REVISED:

9/24/81	5/13/87
11/16/82	6/23/87
3/20/85	12/10/87
6/30/86	6/27/89

Title II Requirements Applicable to State and Local Governments

Prepared by

Jody M. Litchford

WHAT'S INSIDE:

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- * Self Evaluation: Programs, Services and Activities

JODY M. LITCHFORD

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She received her B.A. in Psychology from Vanderbilt University in 1974 and her J.D. from the University of Virginia in 1978.

THE AMERICANS WITH DISABILITIES ACT
TITLE II REQUIREMENTS APPLICABLE TO STATE
AND LOCAL GOVERNMENTAL AGENCIES

Prepared by:

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City of Orlando, Florida
July, 1992

I. AN OVERVIEW OF TITLE II OF THE ADA

A. PROHIBITION AGAINST DISCRIMINATION

Section 202 of Title II of the ADA provides:

Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

B. DEFINITIONS

"Public entity" includes any state or local government, as well as any department, agency, special district, or instrumentality thereof.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

C. GENERAL REQUIREMENTS

Among the specific prohibitions included under Title II are the following:

1. Title II requires a public entity to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless a public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

2. Title II precludes a public entity from establishing eligibility criteria that screen out, or tend to screen out, an individual with a disability unless such criteria can be shown to be necessary for the provision of the service, program, or activity being offered.

3. Title II precludes a public entity from selecting a site or location for a facility that has the effect of denying a service or benefit to individuals with disabilities.

4. Title II prohibits a public entity from denying a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards.

5. Title II prohibits a public entity from unnecessarily segregating persons with disabilities from others participating in a service, benefit or activity, or from offering services or benefits that are not equal to those afforded others.

D. STRUCTURAL ACCOMMODATION UNDER TITLE II

1. Existing facilities - Structural modifications to existing facilities are required under Title II when necessary to meet program accessibility requirements of the ADA. When other methods are effective in meeting such requirements, structural modifications are not mandated by the Act (28 CFR 35.150).

2. Transition plan - If an entity decides to make structural changes to existing facilities in order to achieve program accessibility, and the public entity employs 50 or more persons, the entity shall develop a transition plan by July 26, 1992. Interested persons must be provided an opportunity to participate in development of the plan. A copy of the plan must be available for public inspection. Structural changes undertaken to accomplish program accessibility must be completed "as expeditiously as possible," but in any event within three years of January 26, 1992 (28 CFR 35.150).

3. New construction and alterations - New construction and alterations that affect the usability of a facility of part of a facility, commencing after January 26, 1992 must comply with either UFAS or ADAAG design standards (although, if ADAAG is used, the elevator exemptions cannot be utilized). Exemptions do exist for certain historic properties (28 CFR 35.151).

E. COMMUNICATIONS

1. Generally, public entities must ensure that communications with persons with disabilities are as effective as those with others.

2. Effective telecommunication devices are required with telephone services (information lines, job or service availability announcements, etc.) when those services are offered to others (28 CFR 35.161).

3. Direct access must be provided to telephone emergency services, such as 911 lines, on the same basis as available to others (28 CFR 35.162).

4. Information and signage with respect to accessible facilities, entrances to facilities and other services must be provided (28 CFR 35.163).

5. Audio portions of programming produced by public entities for public dissemination must be made accessible to those with hearing impairments either by closed captioning or other effective means (Technical Assistance Manual to Title II, section II-7.1000).

F. GRIEVANCE PROCEDURES

Agencies with 50 or more employees must a) designate at least one employee to coordinate ADA responsibilities, and b) adopt and publish grievance procedures for prompt resolution of complaints (28 CFR 35.107).

G. SELF EVALUATION

Agencies must complete a "self-evaluation" within one year of the effective date of Title II (January 26, 1993). Interested members of the public must be allowed to participate in this process. An entity that employs 50 or more persons must retain the self-evaluation on file and available for inspection. This documentation must include a list of persons consulted, areas examined, problems identified and modifications made (28 CFR 35.105).

H. NOTICE

Agencies are required to make available to "applicants, participants, beneficiaries, and other interested persons" information regarding Title II of the ADA (28 CFR 35.106).

II. PROGRAMS AND SERVICES OF POLICE AGENCIES

State and local law enforcement agencies must be prepared, pursuant to the requirements of Title II, to make all their services and programs accessible to persons with disabilities, unless to do so would fundamentally alter the nature of the program or result in undue financial and administrative burdens. The following list represents a partial listing of programs or services that, if offered by a police agency, may need to be modified to comply with Title II.

For each of these, and any similar programs, the agency needs to evaluate eligibility criteria for the program or service, the application process for the program or service, the location in which the activity is held, audio-visual and written materials utilized in the program, and any transportation provided as part of the program to ensure that none of these aspects create unnecessary barriers to participation by individuals with disabilities. This evaluation should be conducted as part of the agency's self-evaluation. Any programs, activities or services that will require structural modification should be included in the agency's transition plan. Structural modifications are not necessary if the agency is willing to move the program from an inaccessible location to an accessible location on request from a person with a disability. This type of accommodation is obviously easier to make with a class or program generally requiring some type of advance registration. A public hearing or community meeting, where attendance is more generally advertised and available, should be initially scheduled in an accessible location unless to do so would fundamentally alter the nature of the program or result in undue financial and administrative burdens.

A. PROVISION OF INFORMATION

1. Information desk services (walk-in and telephone)
2. General informational brochures available at the Agency
3. General informational brochures produced by the Agency
4. Mandatory informational brochures (for example, domestic violence information)
5. Video programs
6. Displays and information housed in mobile motor units

B. SERVICES TO THE PUBLIC

1. Witness/Victim assistance programs
2. Neighborhood Watch/Crime Watch programs
3. Permitting functions
4. Substations
5. Field contacts

C. CITIZEN PARTICIPATION

1. Civil Service Boards
2. Citizen Disciplinary Review Boards
3. Other Public Hearings
4. Ride Along Programs
5. Citizen Police Academies
6. Self-defense and other training programs
7. Auxiliary and Reserve programs

D. YOUTH PROGRAMS

1. Explorer programs
2. Police Athletic Leagues
3. Summer Youth programs

E. INTERACTION WITH PERSONS WITH DISABILITIES

1. Routine calls for service
2. As crime victims
3. As witnesses
4. Enforcement contacts
5. Crime prevention training and strategies

SELF-EVALUATION
PROGRAMS, SERVICES AND ACTIVITIES

TITLE: _____

YES/TRUE
NO/FALSE

I. LOCATION

YES NO

- A. Is the program, service or activity presented or provided in a location accessible to persons with disabilities, including the following:

Adequate parking exists (handicapped spaces and Van parking with appropriate signage).

There are no barriers to exterior access.

OR

Appropriate signs direct persons to accessible entrances to the building and other accessible facilities.

There are no barriers to internal access along the path of travel to the location of the program, service or activity.

Common areas (restrooms, water fountains, cafeterias) are accessible.

- B. If the program, service or activity is normally offered in a location that is not accessible to persons with certain disabilities, will it be moved, on request, to an accessible location?

II. ELIGIBILITY CRITERIA

List all eligibility criteria or other prerequisites to participation in this program, service or activity:

Are any eligibility criteria or other prerequisites to participation that tend to screen out persons who otherwise would be able to participate in the program, service or activity necessary for the provision of the program, service or activity?

Are any safety requirements that may tend to screen out persons with disabilities based on actual risks and not mere speculation or generalizations?

Have policies and procedures been reviewed and amended if necessary to ensure that persons with disabilities are not unnecessarily precluded from participation?

YES NO

Are barrier removal or other accommodations provided without surcharge to individuals with disabilities?

III. ADVERTISEMENT

Is the program, service or activity advertised in a fashion that will reach populations with various disabilities (i.e., audio as well as print media)?

If information on this program, service or activity is offered telephonically by recorded message, is the system TDD compatible?

Do advertisements contain information on how persons needing accommodations in order to participate in the program, service or activity can request or arrange for such accommodations?

IV. TRANSPORTATION

If transportation is provided as part of this service, program or activity, does the mode of transportation accommodate persons with disabilities or will specialized transportation be provided upon request?

V. INFORMATION

Is written information provided in alternative formats for persons with disabilities (either prepared in advance or available on request)?

Are any audio-visual productions closed captioned or otherwise made accessible for persons with hearing impairments?

Are interpreters available for persons needing and requesting such assistance?

VI. PARTICIPATION

Are persons with disabilities able to fully and equally participate in all parts of this program, service or activity, including persons who are:

- Hearing impaired
- Vision impaired
- Mobility impaired

Are persons with disabilities integrated into the program or activity to the maximum extent possible?

Are auxiliary aids available to assist persons with disabilities take advantage of this program, service or activity?

ANALYSIS

The subject of each negative answer above should be included under A or B:

A. The following modifications to the program, service or activity will be made to provide accessibility to persons with disabilities:

B. The program, service or activity cannot be modified without either fundamentally altering same or without resulting in undue financial and administrative burdens as more fully described below:

SIGNED:

Entity head or designee

Invisible Disabilities

Prepared by

Michael Bolton

WHAT'S INSIDE:

- * A Letter to the Chief of Police
- * First Responder Contact: Persons with Disabilities
- * The Invisible Disabilities
 - * Mental Retardation
 - * Indicators of Mental Illness
 - * Handling Persons with Mental Illness
 - * Communicating with Deaf People
 - * Speechreading Tips for Speakers
 - * Meeting Deaf People
 - * Miranda Warnings for Hearing Impaired Persons
 - * To Facilitate Communications Flow
 - * What You Can Do About Epilepsy
 - * Head Injury and Disability
 - * Cerebral Palsy
 - * Multiple Sclerosis

MICHAEL J. BOLTON

Michael J. Bolton is currently a police manager for the Arlington County, Virginia, Police Department, where he supervises twenty police officers who are responsible for school and community programs such as drug abuse resistance education (D.A.R.E.), home and business protection and security surveys, robbery and burglary prevention. His experience includes 34 semesters and some summers of teaching courses on the criminal justice system, law, criminology, traffic administration, special enforcement problems, police management and criminal investigation. Publications have included Aiding People in Conflict: A Manual for Law Enforcement, as well as award winning articles for Police Magazine.

Mr. Bolton has earned a national reputation for training officers to handle persons with mental illnesses. He has conducted many training segments for the Law Enforcement Television Network. These programs have been viewed by over 250,000 law enforcement officers.

Mr. Bolton received his B.S. from American University, M.S. from George Washington University, and his C.A.G.S. from Georgetown University.

Michael J. Bolton, Professional Trainer
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Dear Chief,

Attached are a few "Quick Tip" information sheets I've developed to provide you with basic detection/response suggestions for the so-called "Invisible Disabilities" protected by the Americans with Disabilities Act. Invisible disabilities are the most perplexing and difficult illnesses and conditions you and your officers are likely to encounter on the streets and in the office.

Lawsuits for excessive force, unlawful arrest, wrongful death, not to mention the ubiquitous claims of denial of constitutional rights and improper hiring and firing practices are seldom brought against police by persons with apparent physical disabilities.

Typically it is the hallucinating man or woman who is acting strangely; or the person with a panic disorder who suddenly becomes terrified; or the deaf adult or adolescent who does not hear an officer's commands; or the individual with epilepsy who has a seizure; or the person with diabetes caught in the throes of insulin shock, who ultimately seek recompense and punitive damages through the courts for the thoughtless, insensitive, and sometimes humiliating acts of individual police officers.

That this should occur--and, in fact, does occur with some frequency--is both unfortunate and unnecessary. This is especially tragic for millions of people with disabilities throughout the United States, and for the overwhelming majority of conscientious and caring police officers who are sincere in their efforts to protect them.

Along with its other features, the Americans with Disabilities Act is a clear and emphatic edict mandating public safety agencies to become properly trained to identify and respond correctly and without discrimination to the needs of individuals with disabilities--even if the disability itself is not immediately apparent! This is far from an easy task. And one on its face that seems to require advanced medical knowledge. This is not necessarily so.

After months of researching material on mental illness, mental retardation, anxiety and panic disorders, hearing impairment, epilepsy, diabetes, Multiple Sclerosis, Cerebral Palsy, not to mention head injuries, organic brain damage, certain learning disabilities, and a host of other conditions which may rightly be classified as "Invisible Disabilities," I am convinced that officers need not become diagnosticians to comply with ADA.

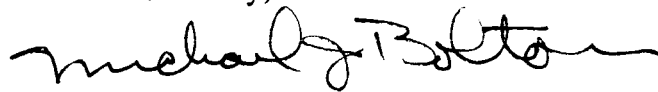
In looking for the basic "First Responder" type guidelines involving many of the disabilities listed above, I discovered that generalized training which has as its foundation a humanitarian approach to problem solving, but which allows for modification for specific disabilities is easy to learn, practical, and defensible should legal action develop at a later time.

I am also keenly aware of your concern for officer safety. You may be interested to know that persons with disabilities--including those with mental and emotional illnesses--are less dangerous and less likely to injure or assault your officers than persons in the general population. Yet, this is not to quarrel with the notion that risks are often present when dealing with individuals in distress.

To minimize the risks to your officers and at the same time help the individual with the disability, I have compiled some generic "First Responder Key Points" which I think can be beneficial (and above all, not harmful!) in handling persons known or suspected of having a disability.

I think the list is a good start; I hope you find it helpful and I look forward to hearing your comments.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Bolton". The signature is written in a cursive, flowing style.

Michael J. Bolton

CRIMINAL JUSTICE GUIDELINES FIRST RESPONDER CONTACT PERSONS WITH DISABILITIES

- * Always identify yourself and other officers with you.*
- * If you offer assistance, wait until the offer is accepted. Then listen to or ask for instructions.*
- * Listen attentively when you are talking with a person with a disability. Be patient and wait for the person to finish, rather than correcting or speaking for the person.*
- * Speak directly to the person with a disability rather than through a companion or sign language interpreter who may be present.*
- * Offer to shake hands. People with limited hand use or wear an artificial limb can usually shake hands. (Shaking hands with the left hand is an acceptable greeting).*
- * Resist the temptation to do something immediately. Take time to look over the situation. When possible, find out all you can about the circumstances and the person with the disability. Speak to relatives, friends or others who may know the individual.*
- * Don't be judgmental. You can never go wrong in respecting the rights and dignity of all human beings.*
- * If necessary, ask short questions that require short answers, a nod or a shake of the head. Never pretend to understand if you are having difficulty doing so.*
- * If a person with a disability is upset, encourage ventilation. Once the man or woman starts talking, don't interrupt. Resist the urge to give authoritative commands. Keep quiet and ride out the outpouring of feelings until they subside.*
- * When speaking with a person in a wheelchair or a person who uses crutches, place yourself at eye level in front of the person to facilitate the conversation.*
- * If anger or frustration is unleashed at you, don't take it personally. The release of hostilities and resentments built up over a period of time can be cathartic and healthy for the upset individual.*

* *To get the attention of a person who is hearing-impaired, tap the person lightly on the shoulder or wave your hand.*

* *When appropriate, label emotions. Pinpointing verbal clues as to what is going on inside the person is every bit as important as recording factual information. Emotional labeling ("You sound hurt, depressed, angry, disappointed," or perhaps, "I hear how upset you are...this must be difficult for you,") helps build trust, and shows the person that you are truly listening.*

* *Do not deceive. Be flexible, non-judgmental, empathetic, creative, thoughtful--but don't lie. Lying seriously destroys credibility and trust--particularly for persons with disabilities.*

* *Treat adults as adults. Address people who have disabilities as Mr. or Mrs. unless invited to do otherwise. (Never patronize people who use wheelchairs by patting them on the head or shoulder.)*

* *When speaking to persons with disabilities, speak slowly, clearly and expressively. Ask questions for clarification.*

* *Never abuse or threaten. Unless a person actually becomes violent, there is no need to use force. Aggression begets aggression, and this can exacerbate the situation.*

* *Convey an image of quiet self-assurance. When in crisis, frightened, or simply confused and bewildered, the individual who has a disability is usually vulnerable and ready to accept the help of an officer who displays intelligence and self-confidence.*

*(Aiding People in Conflict--A Manual for Law Enforcement.
Michael J. Bolton. National Mental Health Association.
Washington D.C. 1988)*

("Ten Commandments of Etiquette for Communicating with Persons with Disabilities," The Networker. United Cerebral Palsy Association. Washington D.C. 1992).

THE INVISIBLE DISABILITIES

MENTAL RETARDATION

* Some officers confuse mental retardation with mental illness--they are not the same.

* The mentally retarded person has a below-normal mental development due to conditions that are not correctable. This does not mean he or she is suffering from a mental illness.

* The retarded adult may give the appearance of an alert person, but his or her intelligence rarely exceeds that of a child.

* Contemporary schools train mentally retarded children to behave like children with normal intelligence. This can present a perplexing problem for police when faced with an individual who is unable to process information quickly and respond to questions.

* Mentally retarded people can often get along quite well--until they face a new and bewildering situation which they have not been taught to meet.

* Mentally retarded people with intelligence just below average comprise almost 90% of the mentally deficient citizens in the United States.

* With the help of special education classes, mildly mentally retarded people can achieve an education equivalent of the fifth-eighth grades.

* Indistinguishable from non-retarded peers in terms of appearance and behavior, mildly retarded persons can complete educations, find employment, and enter the community unnoticed.

* Moderately retarded people, comprising roughly 6% of the mentally retarded population, require active supervision for their entire lives. They may have added disabilities, such as impaired speech, vision or epilepsy--which may or may not be apparent.

* Law enforcement officers will rarely come into contact with a severely or profoundly retarded person.

* Mentally retarded people are not inclined to get into trouble with the law.

* Mentally retarded people are easily influenced, and fall victim to being used by others, who view them as easy prey.

* Without any real comprehension of future consequences of actions, the mentally retarded person may act impulsively on "here and now" feelings, often to their own detriment.

* Like all of us, the mentally retarded person wants to feel wanted, respected, and held in esteem by those around him. Because he or she cannot do as well as others in some things, he sometimes resorts to socially less acceptable ways of achieving self-importance and status.

* Misguided aggression--roughness on the streets or playground--occasionally occurs because the mentally retarded person is attempting to overcome his or her sensitivity to feelings of inferiority.

* Police officers should realize that most mentally retarded individuals understand enough to know when they are being ridiculed.

* When hostile energy builds because a mentally retarded person has been the brunt of vile jokes or malicious behavior or remarks, police can be of immense help in gently defusing the person and assisting him with regaining pride and self-respect.

* Some mentally retarded persons wander aimlessly about communities, and a few show interest in children, mainly because they better understand what children are doing. Still others just stare, sometimes intimidating people until police are called.

* Snappy questions, one after the other, are likely to be met with a peculiar reticence--a strange or suspicious reluctance to answer the officer by the mentally retarded person.

* Some mentally retarded men and women actually begin to talk and then fall oddly quiet without getting anything said.

* The customary discomfort many people feel in the company of police is often amplified with some mentally retarded persons who might pull back and envelope themselves with a protective shield of silence, rather than run the risk of added embarrassment.

* Officers encountering silent individuals--especially if the prospect of retardation is present--should tell the person not to rush, to take time to think over his or her answer, and to answer only when prepared to do so.

(Aiding People in Conflict--A Manual for Law Enforcement Officers, National Mental Health Association. Washington D.C. 1988)

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INVISIBLE DISABILITIES
INDICATORS OF MENTAL ILLNESS

* Sudden changes in lifestyle. Major changes in behavior. Exaggerated mood swings. Lack of judgment. Inappropriate dress. Strange sexual behavior.

* Extreme anxiety, panic or fright.

* Paranoia--believes others are plotting against him or her.

* Hallucinations involving one or more of the five senses.

* Delusions of persecution or grandeur.

* Depression--feelings of helplessness and worthlessness accompany many mental disorders in varying degrees.

* Obsessions--Recurrent thoughts, ideas or images that the person cannot dismiss from the mind.

* Unexplained memory losses. Not the normal forgetting of everyday things, but failing to remember the year, day, where one is.

* Confusion. Inability to focus on a particular topic or interaction.

* Impossible body ailments. Examples: Heart has stopped. Chest filled with food. Body part growing.

* Side effects of medications. (Tardive Dyskenesia). Stiffness, rigid shuffling gait, muscle spasms, clucking of tongue, smacking of lips, occasionally distortion of face.

* Speech. Flight of ideas or the opposite, slow retarded cadences with long pauses (mania and depression).

* Alterations of mood. Elation, "high spirits," stand up comedian, sudden brilliance and intense involvement with plans (mania). Gloomy thoughts of death, melancholy, despair and sadness (depression).

* Body function. Disruption of normal rhythms of the body may indicate psychiatric illness. Insomnia or conversely, feeling tired all the time. Appetite disturbances may indicate stress.

* Content of thought. Psychosis--or the unreal quality of thoughts and ideas--may not be recognized by the individual. Delusions and/or hallucinations (auditory and visual most prominent), may be present.

* Sensorium. The ability to think and remember. Confusion, disorientation, a person who seems not to be able to "think as clearly as before" may be experiencing mental difficulties.

* Alcohol usage. Alcohol slows a racing brain. When depression becomes intolerable, people seek relief from their morbid thoughts. "Drowning one's sorrows in beer," has a special meaning in psychiatry.

* Drug Abuse. Too heavy or illicit or nonmedical uses of substances should serve as a possible warning of an ensuing illness. Young people often experiment with drugs to escape dreadful feelings of depression which they may not understand or acknowledge.

* Judgment and insight. The ability to make an appropriate decision in a given situation is often impaired in people with mental illnesses.

* Flat effect. Little or no response at all. Catatonic.

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INVISIBLE DISABILITIES

HANDLING PERSONS WITH MENTAL ILLNESSES

* First, gain as much information as possible about the nature of the call and the persons involved, particularly any history of mental illness and violence, and whether a crime has been committed.

* People with mental illnesses are generally less dangerous than others (they often prefer isolation and solitude), but under stress and the circumstances of daily living they can become powder kegs of emotion. For this reason, back-up units should always be dispatched.

* The primary indicator of whether officers are likely to encounter violence is not the presence of mental illness, but whether the person has a history of violence.

* Officers do not have to be diagnosticians. They do need to identify behaviors indicative of a mental disorder--they do not have to identify or categorize specific illnesses--this is a function of the mental health professional.

* Depending upon severity, persons with mental illnesses can be quite intelligent, perceptive, articulate, can be employed, have loving families, and warm social relationships.

* Officers should be discreet and avoid attracting attention.

* Avoid excitement, be calm, portray a professional attitude.

* Remove distractions and upsetting influences--including, if necessary, bystanders, disruptive friends or family members.

* Be aware that the presence of the police uniform, service weapon, handcuffs, baton might frighten the person.

* If the person is acting out but not a direct threat to himself or others, give him time to calm down. Violent outbursts are often cathartic and of short duration. It is better to wait 15-20 minutes than to spend 5 minutes struggling to subdue an individual.

- * Officers should never abuse, belittle or threaten a mentally ill person. (Threats create fear and some persons with mental illnesses when out of control become impervious to pain.)
- * Avoid use of inflammatory words, such as "Psycho" or "Nut Case."
- * Do not lie to or deceive the person. This can cause the person to become distrustful and hamper future treatment efforts.
- * Avoid rapid-fire cross examination of the person.
- * Do not dispute, debate, or invalidate the person's claims. Do not agree or disagree with his or her statements.
- * Never rush the person or crowd his or her personal space unless the use of force is imminent. (Officers should remember that they do not know how they are perceived by the individual, how they fit into his or her delusions or hallucinations).
- * As much as possible, move slowly, in fact, broadcast movements so that the person with mental illness is not suddenly startled and further frightened.
- * Reassurance is always important.
- * Do not be fooled by the person's size. As noted earlier, these people can possess phenomenal strength when under acute stress, and often do not feel pain.
- * Do not rely on weapons. The threat of a gun can be quite meaningless to a person who is acutely disturbed. It can also be suddenly grabbed and used against the officers.
- * Never meet hostility with hostility. Aggression often begets aggression. Calm objectivity, acceptance, and professional reassurance often defuses anger.
- * Defer delusion and hallucinations--acknowledge them, but don't agree or disagree with them. Try to bring the individual back to reality by asking concrete questions. ("How long have you lived here?")
- * Don't be fooled by a sudden return to reality. The emotionally disturbed person can return to his or her delusions very quickly.

* Take all suicidal behavior seriously. Persons making threats, gestures and attempts should be referred for psychiatric help. (The number of people who give warnings before killing themselves is extremely high.)

* Make sure the person is not physically ill or injured. Other "Invisible Disabilities" such as diabetes, head injuries, brain tumors, convulsive disorders may appear as a mental or emotional illness. Seek professional and/or medical help if there is any doubt whatsoever.

* Keep a record of a person's complaints regarding plots against him. If complaints change from a vague "they" to a particular person or small group of persons, it may constitute a threat to the safety of those named.

* Learn and be fully familiar with facilities available in a community to help the mentally ill and their families.

* Maintain your sense of humor. Many a day has been saved because someone did.

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INVISIBLE DISABILITIES

COMMUNICATING WITH DEAF PEOPLE

* Hearing impairment is a general term used to describe all degrees and types of hearing loss.

* Most individuals who describe themselves as deaf are unable to hear and understand speech.

* Deaf persons share an inability to understand speech through listening alone, with or without amplification.

* For communication to succeed, the sender and the receiver need to have a shared means for sending and receiving information.

* Deaf people may send and receive messages in several different ways.

* Some deaf people communicate expressively by speaking, either alone or in combination with signing.

* Deaf people who lose their hearing later in life may have speech that is highly intelligible.

* The range of speaking skills varies from individual to individual.

* There is no correlation between speaking ability and intelligence.

* Avoid referring to deaf people as "mute". This term is outdated and considered offensive by most deaf persons.

* Deaf people have normal vocal organs and can vocalize.

* Some deaf people with speech that is not readily understood prefer not to use their voices in public--but since they can produce sounds, "mute" is not an appropriate term.

* Deaf people can express their needs through writing--though hastily written notes are often cumbersome.

* Gesture, mime, and facial expression "Charades" is another way that deaf people communicate.

* Hearing impaired people know and use everyday gestures--they expect and benefit from them when communicating with hearing people.

* Fingerspelling--literally "spelling on the fingers"--is one form of manual communication. There are 26 different handshapes, each one representing a letter of the English alphabet.

* Fingerspelling entire conversations, obviously is not very common.

* Deaf people who sign seldom use fingerspelling exclusively.

* In sign language, the visible movements of the body; hands and face replace the vocal elements of spoken language.

* In American Sign Language, part of the meaning is conveyed through facial expressions and body movements known as "non-manual behaviors." A simple headshake helps to negate a sentence.

* Two Manually Coded English systems are most commonly used in the United States today: Signing Exact English, and Signed English.

* Some hearing impaired people receive the message the same way as hearing people--by listening and hearing the information with the help of a hearing aid.

* Hearing aids make the sounds louder, but not necessarily clearer.

* If a person has a hearing loss which makes speech sound severely distorted, a hearing aid will not "clear up" the speech.

* Other devices--such as Assistive Listening Devices (ALDS) also amplify sound--particularly in large rooms.

* Speechreading (lipreading) or understanding a person's spoken language by watching the speaker's lip movements, facial expressions, and body movements, is a complex process.

* Deaf and hard of hearing people speechread everyday, but even the very best speechreader gets only a partial message. Research indicates that less than 30% of English sounds are readable.

MIRANDA WARNINGS FOR HEARING IMPAIRED PERSONS

* Understand that even with expert sign language interpreters precise translation of the advice of Constitutional Rights expressed in the Miranda Warnings is impossible to achieve.

* Provide a qualified or certified language interpreter at the earliest possible time after apprehension or arrest, and prior to the taking of a statement.

* Written notice of the right to a sign language interpreter before and during all communication should be presented to each arrestee immediately upon arrest.

* Use caution in all written waivers and written notice of rights--a significant number the prelingually deafened adults read at level below the sixth to eighth grade. (Approximately 300,000 people).

* If any doubt exists that what is intended is not properly received and understood, either in writing or with the use of an interpreter, cease interview or interrogation and seek guidance from prosecutor's office.

* The right to a sign language interpreter should only be waived by the hearing impaired arrestee; if there is no problem with communication; and after the hearing impaired arrestee has received notice of this right through a qualified sign language interpreter.

* The hearing impaired arrestee should also understand that he or she can reinvoke the right to an interpreter at any time.

* The National Center for Law and Deafness recommends that the interpreter hold an active Legal Skills Certificate by the Registry of Interpreters for the Deaf or another licensing agency.

TO FACILITATE COMMUNICATIONS FLOW

* Recognize that communications alternatives exist and respect the deaf person's choice of mode.

* Speak naturally and relax.

* Don't exaggerate mouth movements or talk too loudly or shout.

* Use gesture and facial expression.

* If you know some signs and fingerspelling, use them. be patient.

* Be yourself.

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SPEECHREADING TIPS FOR SPEAKERS

* Wait until the person can see you before speaking. If necessary, move or touch the person lightly to get attention.

* Never speak directly into the person's ear. This may distort your message and may hide visual cues such as your facial expression.

* Try to position yourself about 3 to 6 feet from the hearing impaired person when speaking, not up too close and not too far away.

* Speak at your normal rate and use appropriate gesture and facial expression.

* Avoid chewing, eating, or covering your mouth while speaking.

* Do not exaggerate your words when speaking.

* Clue the hearing impaired person into the topic of conversation whenever possible and as the subject changes.

* Be aware of good lighting. Good lighting on the face of the speaker is important. It allows the hearing impaired person to monitor facial expressions, and gestures, lip and body movements that provide communication clues.

* Choose a quiet site for communication. Reduce background noise whenever possible.

* Rephrase your statement into shorter, simpler sentences if you suspect you are not being understood. Check comprehension occasionally.

(Communicating With Deaf People, Gallaudet University, National Information Center on Deafness. Washington D.C. 1987)

MEETING DEAF PEOPLE

* There are several ways that deaf people tell others that they are deaf: They may say or write "I am deaf," or they may point to their ears and shake their heads at the same time. (They seldom will point to their ears and mouth and shake their heads. Deafness and muteness in the same person is extremely rare.)

* Some deaf people will use their voices, others will not.

* Some deaf people who use their voices may be highly intelligible, others may be difficult to understand.

* Some deaf people speechread, others do not. Some deaf people sign, while others fingerspell.

* Some deaf people wear hearing aids or use other amplification devices, while others do not.

* To determine which kind of communication to use--ask the deaf or hearing impaired person.

* Deaf people depend largely on their eyes to receive information--therefore, clear sight lines and proper lighting are a must.

INVISIBLE DISABILITIES
WHAT YOU CAN DO ABOUT EPILEPSY

FIRST AID FOR SEIZURES

- * Above all, remain calm.
- * Stay nearby, speak kindly.
- * Observe and time the person's actions before, during and after a seizure, for a medical report.
- * Remove anything hard or sharp near the person. If necessary, guide the person away from danger (for example, a busy street, fireplace, hot stove, or stairwell).
- * Loosen ties or scarfs around the neck that might make breathing difficult.
- * Place something soft and flat under a person's head. (A folded up jacket works well.)
- * Turn the person gently on his or her side, if possible, to allow saliva to drain from the mouth and keep the airway clear.
- * Remain with the person until the seizure ends, and offer reassurance as he or she regains consciousness.
- * When the seizure is over, let the person rest and do not show alarm, as this only adds to her or his embarrassment and nervousness.
- * Help the individual return home if he or she appears confused.

WHEN TO CALL FOR AN AMBULANCE

- * If the seizure lasts for longer than five minutes.
- * If one seizure follows another in close succession.
- * If the person cannot be awakened after the jerking stops.
- * If there is any visible injury.

WHAT NOT TO DO

- * Do not place anything in the person's mouth. Force nothing between the teeth. The tongue cannot be swallowed.
- * Do not attempt to restrain him or her.
- * Do not administer artificial respiration unless the person has stopped breathing. (This is very unlikely).
- * Do not assume that what looks like a seizure is a seizure. Call for an ambulance if the person does not return to normal within minutes.

FOR SEIZURES IN THE WATER

- * Support the person so that his or head stays above the water.
- * Once on dry land, administer artificial respiration if breathing has stopped.
- * Even if the person seems okay, he or she should be examined by a physician. Heart and lung damage can follow a near-drowning emergency.

SOME MYTHS ABOUT EPILEPSY

- * Epilepsy is a disease.

Epilepsy isn't a disease; it's a disorder. It is a condition of abnormal functioning of the brain with varied causes and diverse symptoms and signs.
- * If you have seizures you have epilepsy.

Although seizures are the most well-known symptom of epilepsy, all seizures are not epileptic. Seizures can be caused by many different kinds of physical problems, including various diseases, head trauma, and drug or alcohol use. Seizures can also be of emotional origin.

- * A seizure is always dramatic and emotional.

When you mention seizures, most people have in their minds a picture of a generalized tonic-clonic or grand mal seizure--the kind of seizure that affects movement. Trembling, jerking, or falling down are indicators of this type of seizure. Far less dramatic are absence or petit mal seizures, in which a person seems unaware of his or her surroundings for seconds at a time. ("Daydreaming" or "spacey" are accusations received by persons with this kind of seizure.)

- * There's not much that can be done about epilepsy.

This is far from the truth. Approximately 80 percent of cases can be controlled with medication. The remainder may respond to surgery or alternative treatment.

- * Epilepsy is usually accompanied by mental retardation.

This is a false but common belief. The vast majority of people with epilepsy are not mentally retarded.

- * Epilepsy is a mental illness.

Epilepsy is a neurological problem--not a psychiatric one. Yes, the brain is affected, but a brain disorder does not necessarily affect a person's personality, behavior, or mood.

- * People with epilepsy shouldn't hold responsible jobs.

This belief went out with the Stone Age, but a recent Gallup poll shows that people still feel this way.

- * People with epilepsy shouldn't have children.

While epilepsy may affect your ability to get pregnant and your chances of having a healthy baby, these heartaches are not limited to people with epilepsy. Also, risks can be managed with close medical attention.

- * Epilepsy is inherited.

Many neurologists believe that heredity is never a direct cause of epilepsy. Where heredity does play a part, the connection is often hazy.

(What You Can Do About Epilepsy. Joan Goldberg. Dell Publishing, New York 1991.)

COMMENTS:

- * When police are called to the scene because someone is acting strangely, they should always be aware that what they are seeing might be the effects of an epileptic seizure.

- * Seizures can produce a whole range of involuntary actions or periods of confusion that are not dangerous to others and should be handled calmly and without force.

- * Inappropriate handling, especially forceful attempts to restrain, may produce unconscious resistance leading to injury and the humiliation and psychological harm of an unwanted arrest. Arrest based on the symptoms of a disability is counter to the provisions of the Americans with Disabilities Act.

- * People with epilepsy are normal people with an episodic medical condition who deserve to be treated at all times with respect.

General Approach When Diagnoses is not Known:

- * Calm, gentle approach, even if in rare cases it's necessary to restrain the person briefly for his own safety.

- * Bystanders are an important source of information. Ask them what happened. If the person was acting normally up to the time of the episode, it's more likely that a seizure is involved.

- * Is the individual wearing a medical identification bracelet or other I.D.?

- * Does anyone know if this person has epilepsy?

* Did he have a convulsion? This is a clue that his confusion is being caused by one effect of the seizure. He may not be fully recovered for several minutes and may be disoriented and belligerent. Gentle questioning and reassurance will help orient him.

* Has this happened before? Does this person "fall out" sometimes?

* Individual is speechless, or may be trying to speak. Seizures can affect the speech center of the brain for a brief period of time.

* If there's no alcohol on the breath, it's more likely it's a seizure rather than intoxication. (Although the presence of alcohol doesn't rule out a seizure.)

For More Information Contact:

Michael J. Bolton
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5723 N. 9th Street
Arlington, Va. 22205
(703) 358-4342

INVISIBLE DISABILITIES

HEAD INJURY AND DISABILITY

* There are two basic types of Traumatic Brain Injury: "closed head injury" (CHI) and "open head injury" (OHI).

* CHI is usually caused when the brain is whipped back and forth, bouncing off the skull. This is typically what happens during a vehicle accident.

* CHI may individually or collectively cause physical, intellectual, emotional, social or vocational difficulties for the injured person.

* Open head injury is a visible injury and may be the result of an accident, gunshot wound, or a variety of other outside factors.

* "The Silent Epidemic" is a phrase frequently used to describe traumatic brain injury as this injury is not physically visible.

* Physical Impairments include: speech, vision, hearing and other sensory impairments; headaches; lack of coordination; spasticity of muscles; paralysis of one or both sides, and seizure disorders.

* Cognitive Impairments: Memory deficits, short and long-term, concentration, slowness of thinking, attention, perception, communication, reading and writing skills, planning, sequencing and judgment.

* Behavioral/Emotional Impairments. Fatigue, mood swings, denial, self-centeredness, anxiety, depression, excessive laughing or crying, agitation, inability to cope, lack of motivation.

(National Head Injury Foundation, Washington D.C. 1989)

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INVISIBLE DISABILITIES

CEREBRAL PALSY

* Cerebral palsy is a group of disabling conditions that result from damage to the Central Nervous System.

* Problems resulting from Cerebral palsy vary from severe to mild, from person to person, from time to time with the same person.

* Cerebral palsy is caused by damage to the brain during pregnancy, labor or shortly following birth.

* It is neither progressive nor communicable, nor is it "curable" in the accepted sense. It is not a disease and should never be referred to as such.

* Characterized by an inability to fully control motor function. Spasms, involuntary movement, disturbance in gait and mobility, seizures, impairment of sight, hearing, speech, or mental retardation may occur.

* Caused by defective development, injury, or insufficient amount of oxygen reaching the fetal or newborn brain.

* Three types: stiff and difficult movement; involuntary or uncontrolled movement; ataxic--disturbed sense of balance and depth perception.

* Certain medications, surgery, and braces are sometimes used to improve nerve and muscle coordination or to prevent and correct deformity.

(United Cerebral Palsy Associations Inc. 7 Penn Plaza, New York, N.Y. 10019)

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INVISIBLE DISABILITIES

MULTIPLE SCLEROSIS

* MS is a neurological disease the cause of which is as yet undetermined.

* It attacks the myelin sheath, the coating or insulation around the message-carrying nerve fibers in the brain and spinal cord.

* Where the myelin has been destroyed, it is replaced by plaques of hardened tissue (sclerosis); this occurs in multiple places within the nervous system.

* Weakness, tingling, numbness, impaired sensation, lack of coordination, disturbances in equilibrium, double vision, involuntary, rapid eye movement, slurred speech, stiffness or spasticity, and in more extreme cases, impaired bladder or bowel function.

* First symptoms usually between ages 20-40.

* Is not fatal, (life expectancy reduced no more than 15%), contagious, nor inherited.

* Physical therapy, proper diet, exercise, avoidance of exhaustion usually help.

* Balance problems, staggering gait, falling down can make the person with MS appear drunk. Many people with MS have medical identification bracelets.

* Most MS patients do not require wheelchairs. Many are only mildly incapacitated, and there are others who have no physically disabling symptoms at all.

(National Multiple Sclerosis Society, 733 Third Ave. New York, N.Y. 10017-3288 1988)

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The Impact of the ADA on Corrections

Prepared by

Randall Atlas, Ph.D., AIA, CPP

WHAT'S INSIDE:

- * General Information
- * Key Design Elements
- * Central Control Room
- * Security Vestibules
- * Intake and Release Areas
- * Housing Areas
- * Health Care, Clinic, Infirmary etc.
- * Visiting Areas
- * Exercise Areas
- * Food Service Areas
- * Administrative and Public Reception
- * Staff Areas
- * Transition Plans

THE IMPACT OF ADA ON CORRECTIONS

by

Randall Atlas Ph.D., AIA, CPP

ATLAS SAFETY & SECURITY DESIGN INC.

MIAMI, FLORIDA

January 12, 1993

This paper is intended to introduce the reader to the American's With Disability Act of 1990 (ADA), and how the Act will most likely apply to detention and correctional facilities. The paper will focus on the types of changes that might be required of jails and prisons, and where those changes might be applied.

State and local governments may not discriminate against qualified individuals who are disabled, and government facilities, services and communications must be accessible in a manner consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (which covers federally funded recipients) and the ADA. A public entity is any state or local government, any department, agency, special purpose district, or instrumentality of a state or local government. The Federal government and its agencies are excluded from the coverage of the ADA, however, Section 504 does apply to them.

Title II of ADA prohibits a public entity (government agency) from denying qualified individuals with disabilities participation in or the benefits of a program or activity it offers, because its facilities are inaccessible (SS 35.149). Therefore, if a jail or prison offers activities or services in an existing facility, it must ensure program accessibility, so that when viewed in its entirety, is readily accessible and usable by individuals (staff, visitors,

public and inmates) with disabilities. The focus on Title II is of making **programs**, not **buildings**, accessible. Examples of programs, services, and activities that might normally be conducted in corrections would be: visitation, medical services, recreation, program activities, library, housing, bathrooms, control center, etc.

Unlike public accommodations in Title III, public entities are not required to remove barriers from each facility, even if the removal is readily achievable. A public entity, or government building/agency, must make its programs accessible. Physical changes to a building are required only when there is no feasible way to make the program accessible. If it is possible to make accessibility through alternative means, structural changes are not required. A public entity is not required to take steps that would fundamentally alter the nature of the program, or impose undue financial or administrative burdens. If structural changes are required, public entities must develop a **transition plan** detailing the steps to be taken and a schedule for when they will be completed.

The National Institute of Corrections has taken the position in the Small Jail Design Guide, (1988, P. 4-96) that "the needs of the handicapped or non-ambulatory inmate must be accommodated within the housing units." Design characteristics in new construction and alterations/renovations according to ADA (1990) should meet ADA Accessibility Guidelines (ADAAG), or the Uniform Federal Accessibility Standards (UFAS) . Key design elements for consideration are:

1. Doors in the housing areas and cells should be wide enough to allow a minimum clear width of 32", be opened at least 90 degrees, with only five pounds of pressure, using a lever handle for an interior doors. The pressure for exterior doors has not been officially determined yet, but it recommended not to exceed eight pounds of pressure. (UFAS & ADAAG 4.13)

Opening a 12 gauge, 500 pound metal door with 5 lbs. of pressure, will be a challenge for the correction's door closer industry. The extensive use of hydraulic or pneumatic door openers is evolving. One common mistake is to plan for a 32 inch wide door and forget that the door hinges may project into the door frame, yielding an effective width of less than 32 inches. It is recommended that architects specify a 34 or 36 inch wide door. Door hardware, such as locks and door pulls must be mounted no higher than 48". Often, door pulls are mounted higher on the door, so as to not interfere with the locking mechanism. Handles and pulls placement may have to be innovative in their mounting, in order to comply with the height limitations.

2. Door closers should be set at a tension level that are usable by persons with disabilities. The time it takes for the door to close must be adjusted so that from an open position of 70 degrees, the door will take at least three seconds to move to a point three inches from the latch. Interior hinged doors should provide for the maximum opening force of five lbf. (UFAS & ADAAG 4.13.10, 4.13.11)
3. Toilet and lavatory fixtures within an inmate cell or bathroom should accommodate the access needs of the disabled. (UFAS & ADAAG 4.26) Centralized bathroom

and shower areas should be fully accessible. (UFAS & ADAAG 4.22,4.23)

4. Cell desks and dayroom tables must be accessible. Fixed stools may be inappropriate to allow wheelchair access. At least one position at the dayroom tables should be made accessible. This could be accomplished with either a movable chair or a swing out security type seat.
5. Fixtures in the dayroom or housing areas, such as intercoms, electric lighters, wall plugs, microwaves, fire alarm pull stations, vending machines, and telephones must be accessible as per the ADA requirements. (UFAS & ADAAG 4.27.3)
6. All elevator controls need to be readable in braille and at the proper height. (UFAS & ADAAG 4.10.7) Fire alarms may need to be expanded to install flashing alarm lights. (UFAS & ADAAG 4.28)
7. Reduce door thresholds, install accessible door hardware in place of round knobs. (UFAS & ADAAG 4.13.8, 4.13.9) Remove high-pile low-density carpeting. (UFAS & ADAAG 4.5.3)
8. Position some telephones lower; provide telecommunication display devices (TDD) on the telephone banks. (UFAS & ADAAG 4.31) UFAS has no requirements for providing TDD's , however ADAAG states that a TDD must be provided inside a building that has at least one interior pay phone and four or more public pay phones. (ADAAG 4.1.3(17)(c))
9. Provide for five percent of housing to be dedicated accessible cells. (UFAS 4.1.4.(9)(c), ADAAG - No scoping requirements indicating how many cells needs to be accessible is delineated)
10. Special compliant building signage will have to be provided on all permanent rooms. Signage must have the proper background contrast, with letters raised 1/32 of an inch, and have the braille translation underneath. Signage must be 60 inches above the floor adjacent to the latch side of door. (UFAS & ADAAG A4.29, 4.30)

There are many areas within a detention environment that would correctional programs with accessibility concerns. Areas that could apply are the central control functions, security vestibules, intake and release areas, housing units, health care, visiting areas, program and recreation, food service, laundry, and administrative, staff areas, public reception.

The ADA would apply to the **central control room** in the design of:

- 1) the work counter,
- 2) control equipment would need to be within the reach limits,
- 3) if the control room floor is elevated, there must be an accessible ramp for entry.
- 4) It is common practice to use disabled officers in control rooms, since there is no

direct contact with inmates. (UFAS & ADAAG 4.32)

Security vestibules should comply with the following ADA standards:

- 1) All control devices must be within the specified height range.
- 2) The minimum space between two hinged or pivoted doors is 48" plus width of the door swinging into the vestibule. Doors in series must swing either in the same direction or away from space between doors.
- 3) Thresholds at the doorways shall not exceed 3/4 inch for exterior sliding doors and 1/2 inch for all other type of doors. Thresholds and floor level changes must be beveled with a slope of 1:2. (UFAS & ADAAG 4.13.8, 4.5.2)
- 4) Door hardware shall be in a shape that is easily graspable with one hand, such as a lever-operated, push type, and U shaped handles. (UFAS & ADAAG 4.13.9)
- 5) Round door knobs are no longer allowed in any application. Automatic door openers are acceptable. When sliding doors open, the hardware must be exposed and usable on both sides of the door and mounted no higher than 48".
- 6) Door closers for swinging doors must be adjusted so that the door takes at least three seconds to move from 70 degrees open to a point of three inches from the latch.
- 7) Sliding doors shall have a maximum force of opening of 5 pound feet (lbf). Automatic doors shall not open to back check faster than three seconds and require no more than 15 lbf to stop. (UFAS & ADAAG 4.13.12)

Intake and release areas would require:

- 1) Access from the vehicle sallyport area to the booking area must be through an accessible path. There should be no door thresholds that could provide tripping hazards, and the door system must meet ADA requirements.
- 2) Once in the booking area the search/pat-down area should be accessible, along with the fingerprinting, photographing, medical screening, and holding areas should meet ADA standards.
- 3) If the arrestee has access to a telephone area with more than 4 telephones, one of the phones will need to be a telecommunications display device (TDD), and lowered to 36" in height. At least one arrestee phone should be adaptable to use a TDD no matter how many phones there are. Even if there is only one phone, it should be adaptable to receive a TDD. In a small jail, the arrestee does not have an option to leave and get another phone in another location.
- 4) The arrestee toilet should meet the standards, yet a direct threat of suicide must

be addressed. If the toilet area is open for visual and audio supervision, then the toilet should be **adaptable** to receive grab bars, unless the grab bars have been altered with shields to prevent tying off from. (See SKETCH # 1)

- 5) The shower area floor surface must be flush to the floor. No floor threshold greater than 1/2" is allowed by ADA in order to assist entry into a shower by a wheelchair.
- 6) All countertop work areas, such as interviewing, fingerprinting, medical screening, property storage should have a portion of the countertop at the maximum height of 36", and at least 36" in width. Release activities should permit full accessibility. Work counters, shelving for forms, telephone banks, and property storage should meet ADA standards. If shelving for property storage is going to exceed the maximum height allowed, 54", it is recommended that this issue be addressed in the required ADA Audit/Self-Evaluation Survey. Operationally there may a disabled staff person working in property storage, however, a fully able staff person must be available to provide assistance for higher shelf access when needed.
- 7) Record storage would also need to comply with shelf height requirements, and minimum widths of corridors.

Housing areas have special needs for accessibility which include:

- 1) ADAAG has no scoping requirements indicating how many cells need to be accessible. UFAS regulation require a minimum of five percent of resident housing would need to be fully accessible (SS 4.1.4 (9)(c)).
- 2) It is recommended that one or two cells per housing pod (up to 64 persons) be designated as an accessible cells. The walls must be designed to receive grab bars. The cell must have the proper turning radius, door clearances, the cell should have a raised toilet 19" from the floor, and the ability to put in grab bars that will support 250 psf, and all desks, chairs, control fixtures should meet ADA standards. (See SKETCH # 2)
- 3) If grab bars are to be placed in a single cell, there is a potential direct threat of making weapons, or committing suicide by hanging from the bars. Just as many single cells have anchors attached to the wall for future double bunks, so can it be with a anchor preset in the wall to accept grab bars, if and when the need is present. An alternative to wall anchors is to have the wall area around the toilet constructed with a double layer of exterior type plywood anchored to the block, concrete, or steel wall surface. If a grab bar would need to be installed, they could be attached using long wood screws, with the plywood providing sufficient structural strength to support 250 pounds. It is also possible to make alterations to the grab bars, such as tack welding a screen or piece of sheet metal to close the gap between the bar and the wall. If a knot can't be secured around the bar, then hanging is not possible. If an inmate cell is being formed out of concrete it is possible to form the bar as an indentation from the walls adjoining the toilet. As a one piece form, the grab bar would not have an opening through which an

inmate could hang themselves.

- 4) Showers in the housing areas should be fully accessible, with fixture height no greater than 48", and no lip greater than 1/2" to catch the water. Carefully placed floor drains, and sloping floors must be added to direct the flow of water spray. The ADA also specifies the maximum angle of slopes to be 1:16 to 1:20, and recommends a minimum 0.6 Coefficient of Friction for floor surfaces.¹ A typical shower stall in a correctional facility is 36" by 36". ADA requires shower stalls which are three foot by three foot to have a mounted seat which extends the full depth of the stall. All controls, faucets, and shower unit are to be mounted on side wall opposite the seat. A shower stall 30" by 60" does not require a fixed seat. (See SKETCH # 3)
- 5) Bathrooms of housing units will need to be fully accessible. It is important to provide room under the sink countertop for a wheelchair person to be able to pull up under the sink. (See SKETCH # 4) Pipes must be insulated so as not to expose a burning danger to wheelchair user inmates. If there are up to five toilets, one of them must be a standard ADA stall (ADAAG 4.17.3). However, if there are six or more toilets, in addition to the standard ADA stall, at least one of the remaining five stalls shall be exactly 36" wide by 60" long with an out swinging self-closing door and parallel grab bars complying with UFAS & ADAAG 4.26.
- 6) If activities occur on the mezzanine level that require access, such as non-contact visiting, it must be made accessible. If the only access for inmates and staff to get from the lower level to the mezzanine are the stairs, then all activities must be made available to inmates on the level where disabled inmates could be housed (most likely on the lower level), or provide a mechanical lift to get persons from the lower level to the mezzanine level. Another possibility is to design the elevators to stop at all floors. However, elevators that carry civilians and inmates together, may be considered a security breach. The solution lies in the ability, or flexibility, to solve the problem architecturally or procedurally.
- 7) UFAS & ADAAG 4.9.2 states on any given flight of stairs, all steps shall have uniform riser heights and tread widths. **Open risers are not permitted.** Open risers are a commonly used design tool to allow the officer to have clear unobstructed supervision through the stairs, thus preventing a blind spot. One way to architecturally solve the open riser problem is to provide a wire mesh screen as the back of the riser. The mesh would allow visibility through the stairs, yet prevent the possibility of slipping through the stairs.
- 8) Dayrooms that are mid-level in a split tier housing arrangement must be accessible to those on the housing floors levels. This condition might require a ramp, or hydraulic lift which could raise or lower a wheelchair.

¹ The Coefficient of Friction is the point at which two surfaces in contact with each other begin to move and overcome friction.

- 9) If there is an officer workstation or desk, it needs to be accessible. It is likely to be the policy of the corrections department, currently, that handicap officers can not work the housing units because of the likelihood of "direct threat" of harm to the officer, especially in a disciplinary situation. However, future litigation will probably establish the rights of handicapped staff to work in housing units. The staff toilet in the housing unit must be accessible, even though there may be no disabled officers in this vicinity, because of the standard that all areas be accessible for new construction.

The **health care, clinic, infirmary, medical isolation, sick bay**, and other **medical** areas would be required to be in full compliance with the ADA and consider the following items:

- 1) Exam rooms should have doors wide enough for wheelchairs and stretchers.
- 2) Countertops and work surfaces should have a portion that is 36" in height and at least 36" in width.
- 3) Medical storage areas, staff work areas, toilet facilities, records areas, doctors offices, nursing station, medical dispensary, and inmate waiting areas should all meet the various requirements for accessibility.

Visiting areas have to be accessible to the visiting public and inmates.

- 1) When the visiting is centralized or decentralized, the "public" path of travel from the outside of the building through to the visiting area, along with adjacent spaces such as public bathrooms, visitor screening, vending area, lockers, waiting areas all must meet the ADA standards. (See SKETCH # 5)
- 2) If the only access for a visitor is through a metal detection machine, it must be widened to allow a clear width of 32". If there is an alternative path for a wheelchair bound visitor, they can be manually searched by a hand held detector that allows for a procedural alternative.
- 3) If a metal detector passage is wide enough for wheelchair access through, the metal wheelchair sets the machine off. One innovation that may be generated from implementation of the ADA is the development of an all acrylic wheelchair for weapons screening of disabled persons through metal detection devices.
- 4) For contact visiting, careful attention should be paid to the tables and chairs that could allow easy transition of a wheelchair or other disability. Non-contact visiting often happens in small booths with parties shouting at each other over a phone device or through metal screening. It is recommended, that some of the non-contact booths be designed for a wheelchair to be able to slide underneath. The limiting condition is clearance under a table or counter should be 27" height and at least 36" in width. The counter should extend a minimum of eight inches from the partition.

- 5) It is recommended, that at least one of the booths have a TDD for hearing impaired inmates or visitors. Often visitors must fill out forms at a visitor reception desk.
- 6) A portion of the reception desk should be no higher than 36" in height. Visitor waiting areas which include restrooms, telephones, drinking fountains, and locker storage areas must be fully accessible.
- 7) If visiting is located at the housing units the travel path to the visiting areas must be fully accessible and provide for ADA acceptable door widths, door thresholds, door closers, signage, and elevator controls.

Exercise areas (indoor and outdoor), multipurpose areas, program services, and the inmate commissary must provide:

- 1) All exercise and multipurpose areas, door widths, door thresholds, door closers, door knob hardware, water fountains, bathrooms, should be made fully accessible.
- 2) In the design and planning of program services, such as, religious areas, chapels, assembly rooms (for inmates or staff), counseling areas, group therapy areas, library, these spaces will be fully accessible. Since program areas are gathering areas for groups of inmates, it is required that visual and audible fire alarms and public address systems be designed into each space.
- 3) It is possible that a handicapped staff person could be working in the commissary or canteen, so work surfaces, shelf heights, window pass through, dutch doors, and controls for all devices (i.e., an electric overhead rolling shutter window), shall meet the ADA standards.

Food service areas will need accessibility in the following areas:

- 1) Shipping and receiving areas would most likely not be accessible areas. These openings in the building are not public entrances, and thus, not necessarily accessible to handicapped persons.
- 2) Food and beverage preparation, cleanup and dishwashing areas usually occur in the heart of the kitchen, and need to consider widths of corridors for ease of moving around.
- 3) Dry storage, freezers, waste disposal, cart storage area door widths would be designed for movement of rolling carts and dolly's, and thus, meet many of the ADA requirements.
- 4) Visual and audio fire alarm systems must be located within the food services areas.
- 5) Staff dining room or cafeteria need to comply with ADA standards. The kitchen

managers office and staff toilets would need to comply.

Many jails have **laundry** facilities. Sometimes the laundry is decentralized with washing and drying machines located in the housing units for personal laundry. Some facilities handle institutional laundry and inmate personal laundry from a centralized area. Laundry services must be located to assure adequate security requirements, and yet, provide appropriate access by inmates.

- 1) Most functions in a laundry area, such as linen and clothing storage, ironing and pressing, supply storage, laundry carts, folding tables, dry cleaning, and washing and drying occur in a large dedicated area.
- 2) Water fountains, fire detection and alarm devices, non-slip floor surfaces, no protrusions of greater than four inches, and work counter heights would need to comply with the ADA.

Administrative and public reception areas accommodate the public's need for access to the facility and to gain information about the inmate and other aspects of the jail operation. The most common areas that would be affected by the ADA are:

- 1) The public lobby, reception/information desk, conference and meeting rooms, clerical work areas, staff breakroom, records storage, supply storage, staff toilets, staff parking areas, public toilets, and waiting areas need to comply.
- 2) Typical ADA standards that would apply to these spaces are signage requirements, arrangement of furniture, height of the bulletin board, telephones, drinking fountains, restrooms, fire detection/alarm systems, countertop heights, door widths, door thresholds and door hardware.
- 3) The armory and security equipment storage would need to be accessible.
- 4) Mechanical rooms do not have to meet ADAAG standards.

Staff areas often include staff parking, staff entry, staff locker/ shower/ bathroom, staff exercise area, briefing or muster room, staff gym or exercise area, staff break room, staff dining areas. A new facility would need to design for:

- 1) All staff areas need to be handicap accessible.
- 2) The showers would need to be designed with no lips, a mounted bench, and grab rails.
- 3) The bathrooms and corridors must be designed so that they are wide enough to allow wheelchair turning radius.
- 4) Water fountains, door widths and hardware, telephones, shelf heights, countertop heights, protrusion-free paths of travel must be designed into the facility.

- 5) The staff break areas typically have a countertop for microwaves, coffee makers, toasters. This counter would need to be at a 36" height and minimum of 36" in width.

Where "structural changes" to existing facilities are the only way to achieve program accessibility, a "**transition plan**" (for entities with more than 50 employees) outlining steps necessary for complete the changes is required. The transition plan must be completed by July 26, 1992 (six months before the self-evaluation survey deadline!), and must include:

- inventory the programs and activities conducted by the agency or entity.
- inventory the facilities in which agencies programs or activities are conducted.
- evaluate the facilities for compliance with the ADA, Architectural Barriers Act of 1968, and Section 504 if applicable, and correct any problems identified.
- analyze how the programs or activities are conducted in the facilities.
- determine if there are physical barriers to program participation in the facilities.
- develop solutions to the problems and schedule for implementation.
- provide interested groups with the opportunity to review and comment on draft transition plan.
- Identification of the official responsible for implementation.

The entity should survey all facilities, or portions of facilities, structures, equipment, roads, walks, parking lots, or other real or personal property, or interest in such property, that is owned, operated, or leased, and used for programs, activities, and services of that organization. The survey should list for each facility, or portion of, any inaccessible features that limit program accessibility. The entity should:

- List the steps that are planned to ensure existing facilities are program accessible, or if alternative means of delivery is proposed.
- Document all future construction and renovation work after January 1992 will architecturally comply with the ADA Accessibility Guidelines or Uniform Federal Accessibility Standards.
- Document what non-structural measures will taken to ensure program accessibility for existing facilities, such as relocating the activity to an accessible space, being able to relocate upon notice give by a qualified disabled person, revising the structure or format of the activity so the space is not needed, modifying equipment or redesigning equipment, or alternative delivery of services.
- The entity should document steps that it has undertaken to ensure periodic communications with disabled program participants concerning accessible and inaccessible facilities.

The facility survey should be organized in a notebook, with tabular breakouts of the different architectural areas, and how they correspond to the sections of ADAAG or UFAS. The facility survey should have a checklist for each of the items of ADAAG or

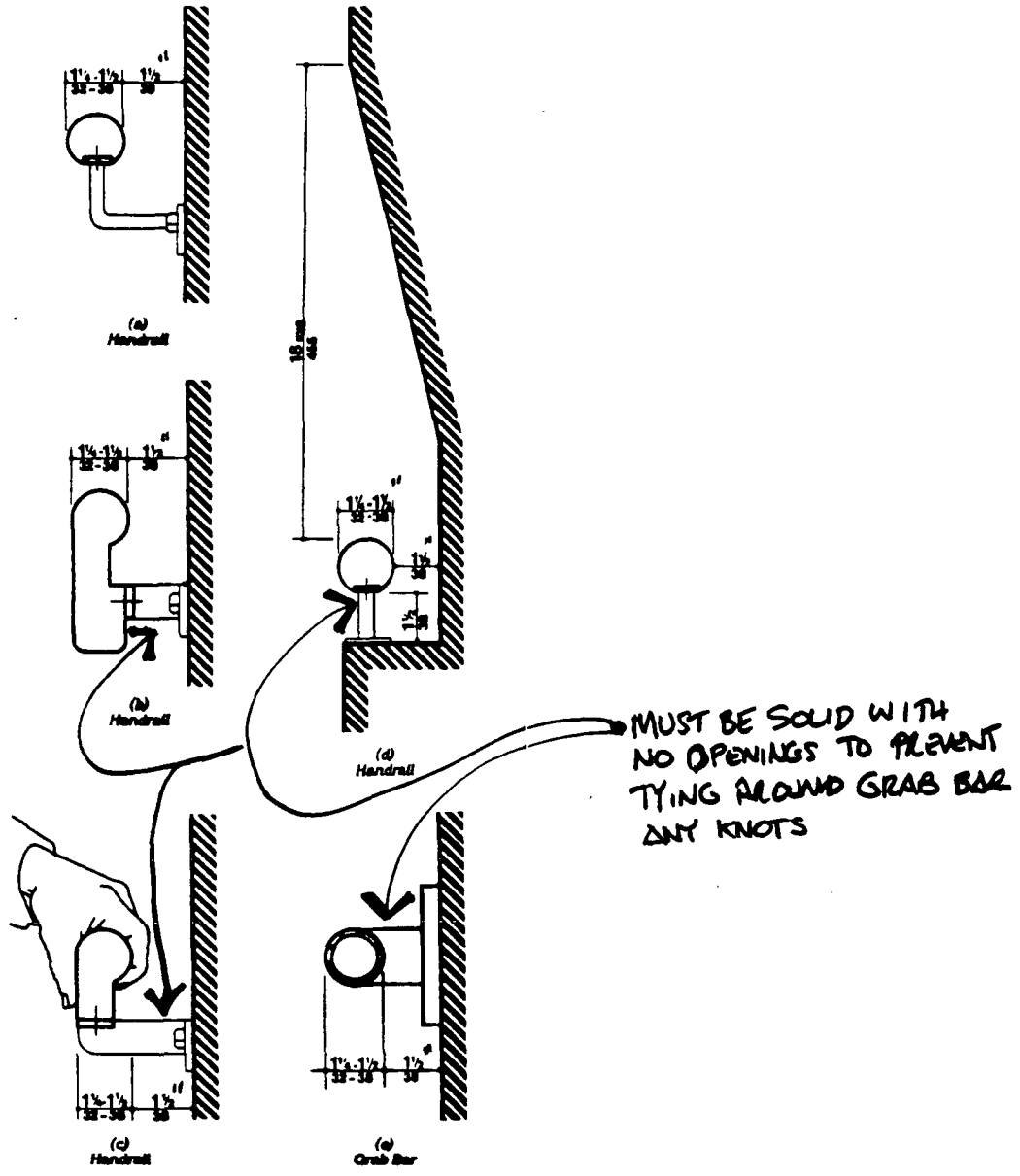
UFAS and allow a respondent to check off an item for compliance, non-compliance, and allow for comments. It is very helpful if the survey team has a floor plan of the facility, usually reduced to a 11" by 14" format, and to take photographs of non-compliant elements. As non-complaint elements are identified they can be keyed to the floor plan and corresponding photographs.

The facility survey becomes the written record of the "good faith effort" made by the government agency in program accessibility. This is critical in preventing and defending against litigation regarding ADA issues. The survey establishes what the existing conditions were, and identifies what areas need correction. If physical improvements are made without the benefit of a survey's records, there is no way to show how and where improvements were made. The survey also serves as the data base to determine the budget for program and building alterations. A survey, done properly, is not a "quick and dirty" short process. The survey is a carefully detailed document which provides important facts and history of conditions and programs important to the public agency in the event of future litigation.

AUTHOR BIO

Randall I. Atlas Ph.D., AIA, CPP of Atlas Safety & Security Design Inc. is a registered architect, a doctorate of criminology, and a Certified Protection Professional (CPP). Atlas has been a technical assistance consultant for the National Institute of Corrections since 1983, an adjunct professor of criminal justice at Florida International University, and recently conducted the required ADA Compliance Assessment Surveys at several Florida and Hawaii Correctional Institutions. He has conducted workshops on ADA at recent American Jail Association and American Correctional Association conferences, and the NIC Large Jail Network. Atlas has been a leading national resource on accessibility, barrier free design, premises liability, suicide prevention, and architectural security design. For more information please contact Dr. Atlas, ATLAS SAFETY & SECURITY DESIGN INC, at One Palm Bay Court, Miami, Florida 33138-5751. (800) 749-6029.

GRAB BARS - FIGURE 1



ADA ACCESSIBLE CELL

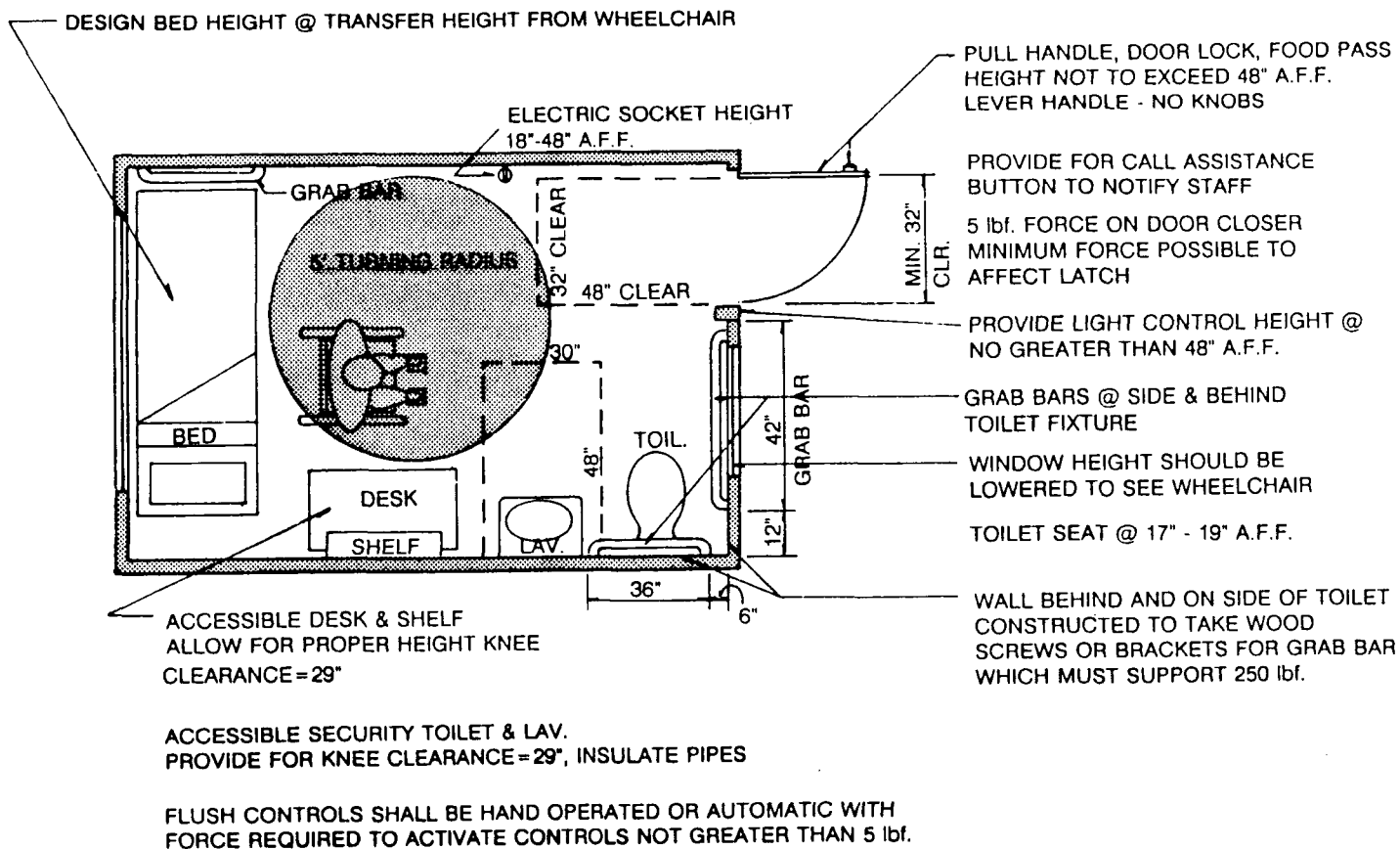


FIGURE 2.

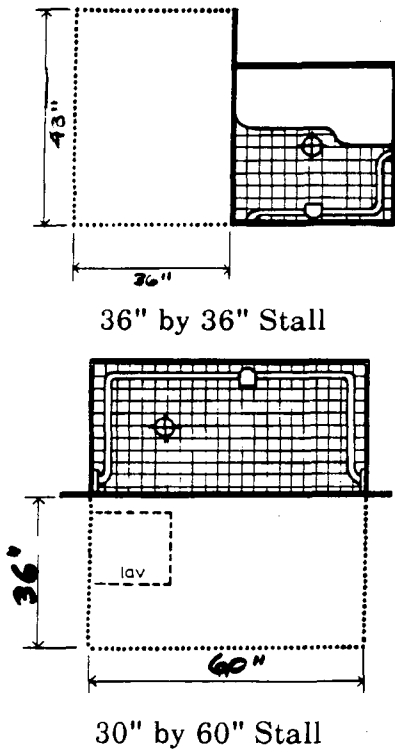
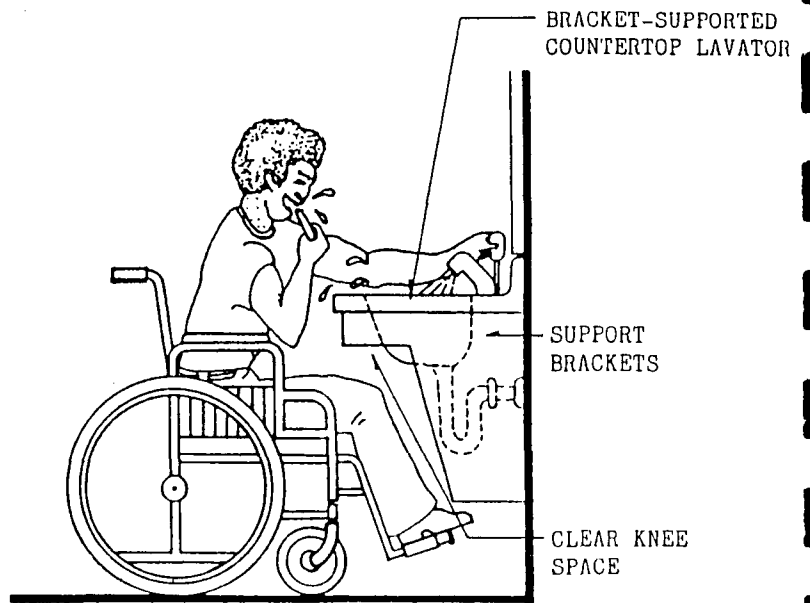


FIGURE 3



**ANSI AND UFAS REQUIRED CLEAR
KNEE SPACE AT LAVATORIES**

FIGURE 4

SITE

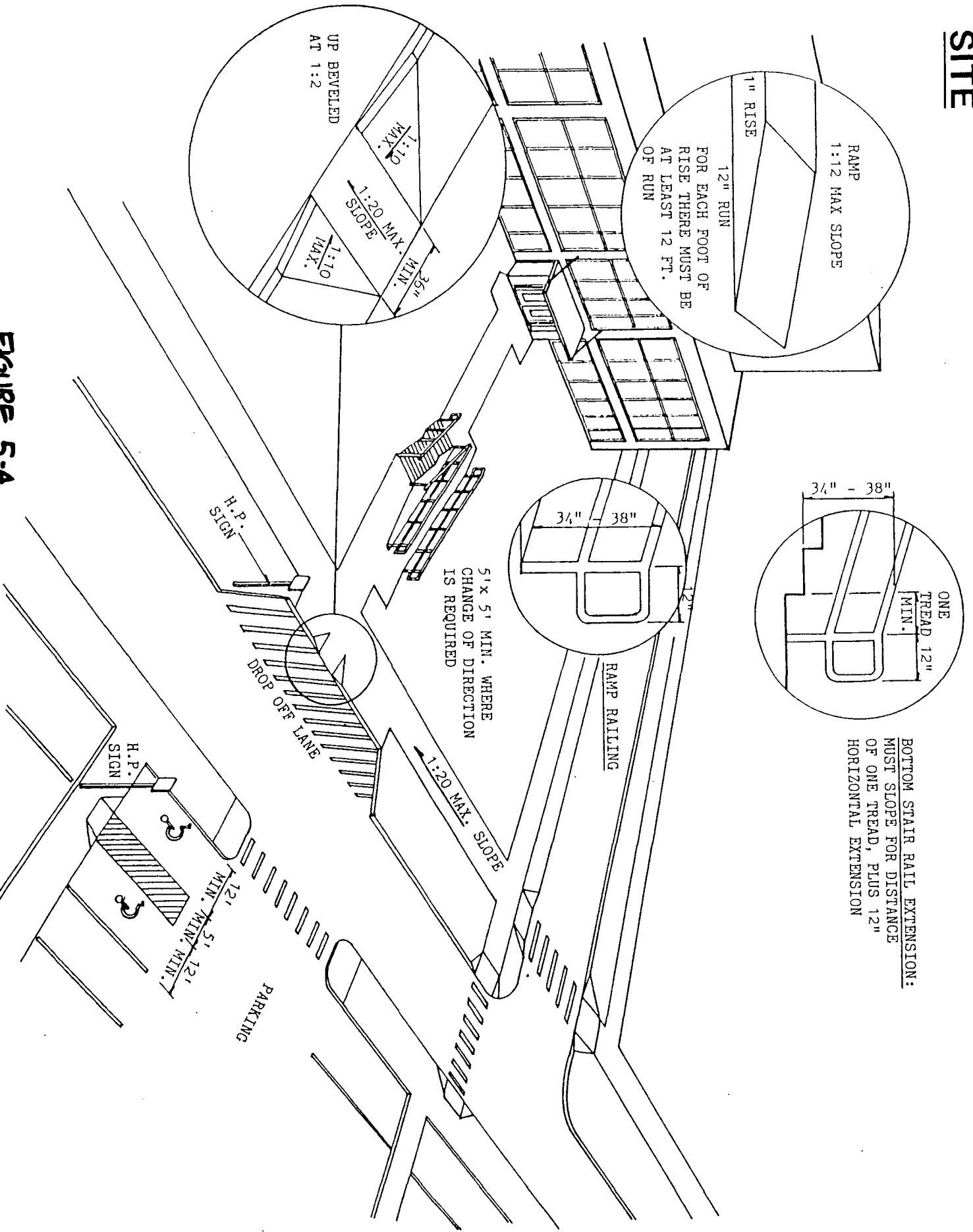
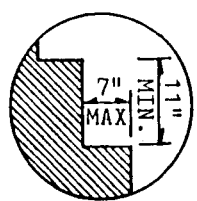
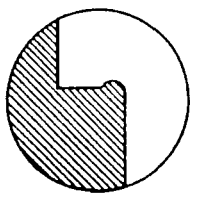
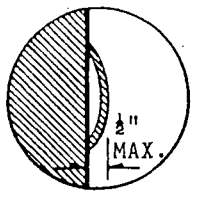
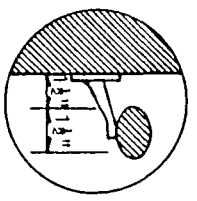
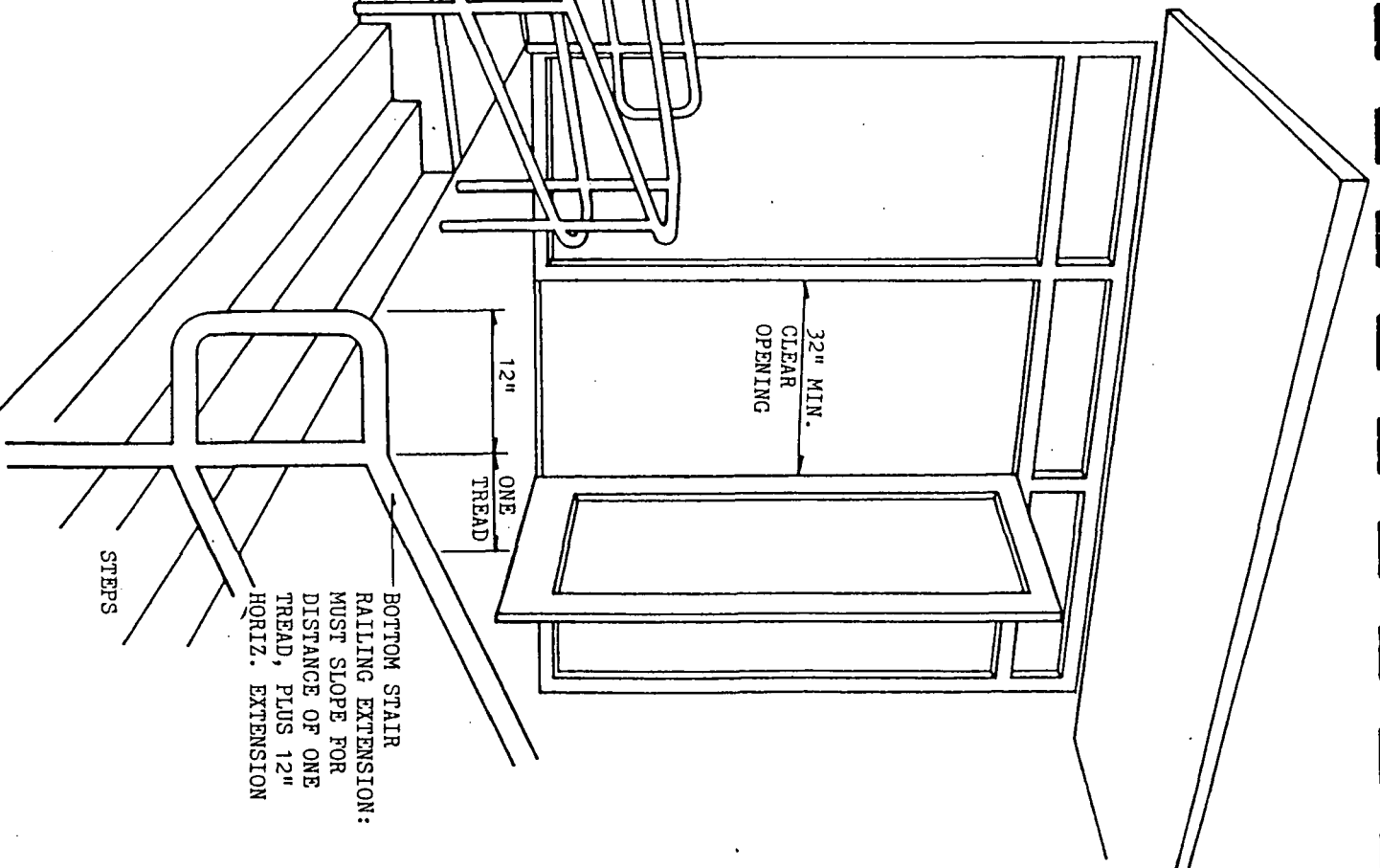
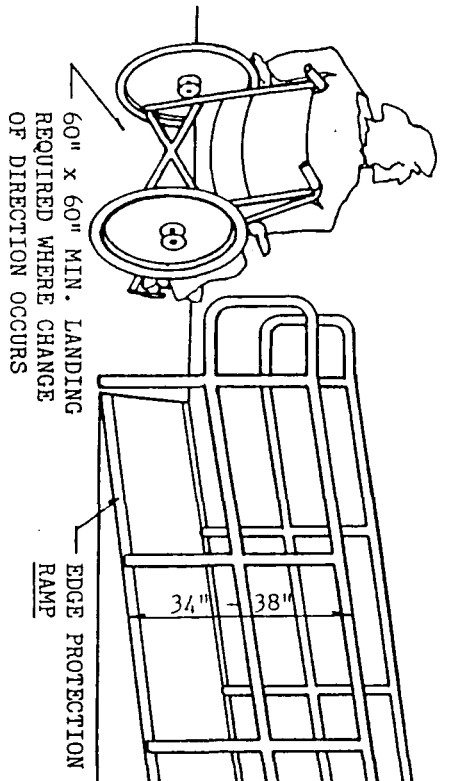
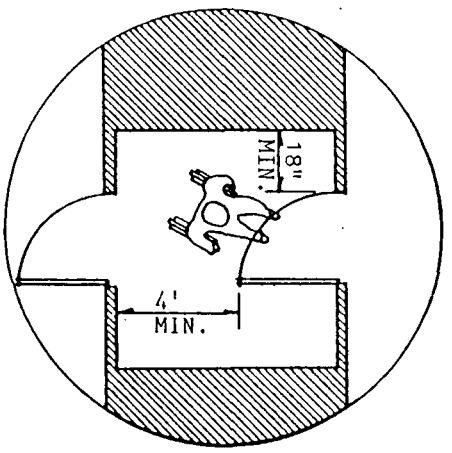


FIGURE 5-A

ENTRANCE



BUILDING

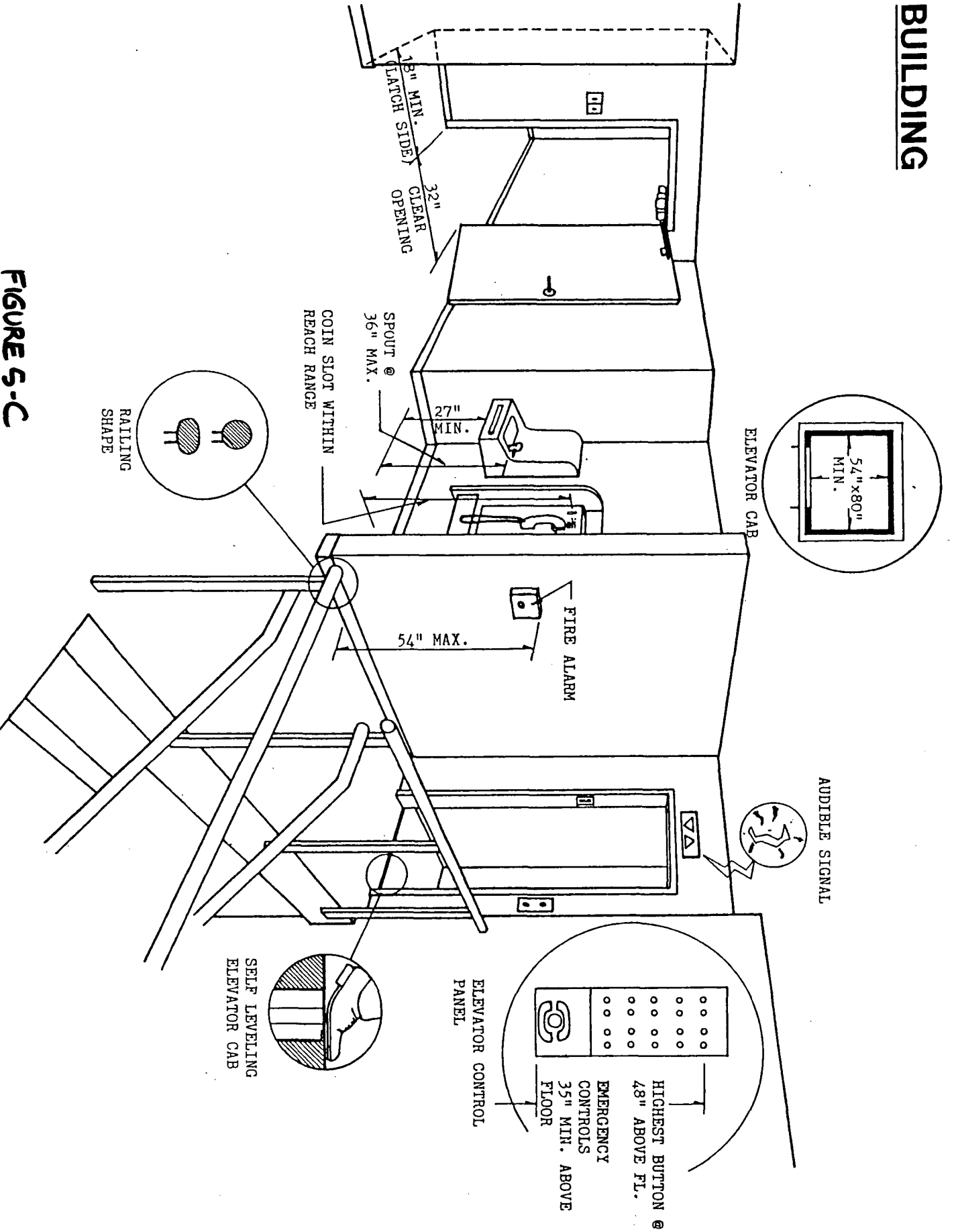


FIGURE S-C

**Meeting the Challenges of the Americans with Disabilities Act
in the Correctional Setting**

Prepared by

Susan W. McCampbell

WHAT'S INSIDE:

- * Introduction
- * Personnel Challenges
 - * Developing Job Task Analysis
 - * Developing Position Announcements
 - * Screening Applicants
 - * Conditional Offer Letters
 - * Pre-employment Psychological Screening
 - * Developing Pre-employment Medical Standards
 - * Career Fitness Standards
 - * Staff Training
- * Jail Programs and Services for the Disabled
 - * Accessibility Issues for Local Detention
 - * Programs Considerations for Local Detention Centers
- * Summary of Recommendations
- * Resources/Bibliography
- * Attachments

MEETING THE MULTIPLE CHALLENGES OF THE
AMERICANS WITH DISABILITIES ACT
IN THE CORRECTIONAL SETTING

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American Correctional Association
Mid-Winter Conference
Miami, Florida

January 12, 1993

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- IV. Summary of Recommendations
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Attachments

<u>Number</u>	<u>Description</u>
A	Establishing Essential Functions of the Job
B	Sample of Deputy Sheriff Sergeant Job Task Analysis
C	Sample of Deputy Sheriff Sergeant Knowledges, Skills, Abilities
D	Establishing the Job Position Announcement
E	Sample Conditional Offer Letter
F	Evaluating Entry-Level Medical Standards
G	Examples of Medical Standards
H	Draft Physical Requirements/Deputy Sheriff

MEETING THE MULTIPLE CHALLENGES OF THE
AMERICANS WITH DISABILITIES ACT
IN THE CORRECTIONAL SETTING

Prepared by: Susan W. McCampbell
Alexandria, Virginia Office of Sheriff

For Presentation to the American Correctional Association
January 12, 1993

I. INTRODUCTION - IDENTIFICATION OF ISSUES FOR CORRECTIONS
ADMINISTRATORS

Although quite capable of responding to all sorts of federal and state mandates, criminal justice agencies were not prepared for the impact of the Americans With Disabilities Act (ADA) of 1990. Most agencies were not aware the legislation would have any impact on them; and professional organizations representing criminal justice organizations and personnel missed the significance of ADA on their membership.

The mandates of ADA are long overdue. I don't know of anyone who argues against the principles embodied in this landmark legislation. The heated discussions in criminal justice agencies about ADA revolve around exactly what is expected of agencies. Agencies just want to get to the "bottom line" without engaging in lengthy philosophical debates with federal, state or local officials.

This paper addresses several areas in which correctional agencies are impacted by ADA and offers some practical suggestions for achieving compliance. These issues are:

- o Job Task Analysis/Essential Job Functions
- o Position Announcements
- o Medical Standards (entry-level and career)
- o Screening of Entry-Level Corrections Employees
- o Conditional Job Offer Letters
- o Accessibility of Disabled Inmates to Jail Services and Programs

As information about ADA changes almost weekly, this paper presents what is generally known about the requirements of the Act as of December, 1992.

Correctional agencies are scrambling to come into compliance for several reasons. First, most correctional agencies do not have adequate job task analyses as needed to document compliance. Secondly, very few agencies have medical standards that are defensible under the Act. Thirdly, the day-to-day personnel management decisions made by an agency administrator may often lead to unanticipated conflicts with ADA. Finally, the services and facility access for detention centers and jails must meet the Act's mandates. This is regardless, in most cases, of the fiscal impact of these changes. Jails traditionally serve a population who meet the definition of "disabled" persons under the Act.

The suggestions and examples furnished in this paper presume that the reader has a working knowledge of the ADA mandates. There are many excellent summaries of the Act, and time will not be spent here with this subject.

II. PERSONNEL CHALLENGES

The number one message for correctional administrators in addressing personnel-related ADA compliance is - "don't go it alone". Each local government in the United States is mandated to bring all hiring into compliance with the ADA. This includes employment positions from clerks to police officers, to road maintenance workers. Policy development and subsequent implementation at the local government level, especially those addressing public safety agencies, need to be made with the administrators of all public safety agencies. A unified strategy and approach (not necessarily single standards and essential job functions) to advertising, hiring, screening and retention should be adopted by every jurisdiction. There are fiscal impacts of achieving compliance, and those costs also can, and should, be shared by all public safety agencies in a jurisdiction.

A. Developing Job Task Analysis - Many correctional organizations do not have adequate documentation concerning the job tasks required of corrections employees. This may be because it is a difficult and time consuming task to complete and validate; and also because the jobs of correctional employees are so varied. The job task analysis defines "the essential functions" of each job classification. In many communities across the country, attracting and retaining qualified personnel are the priority; and many related personnel management adjuncts are a lower priority.

Attachment A, "Establishing Essential Functions of the Job", developed to assist local criminal justice agencies by the Virginia Department of Criminal Justice Services, provides an over-

view of the process. The process of identifying essential functions should be assisted by a personnel management specialist from your local government. Although the process is not academically beyond the reach of administrators, the nuances of personnel administration make this assistance desirable. If local governments do not have available the necessary qualified staff, industrial psychologists associated with local community colleges or state universities are also qualified to provide technical assistance. Unfortunately, accomplishing this task may require expending funds for consultants or advisors if local governments do not have the expertise. This is a task in which public safety agencies in one jurisdiction should pool scarce resources in order to accomplish.

Identification of the essential elements of the job of correctional officers, along with the frequency and relative priority, provides the documentation to develop or update the job description. The job description should include a summary of duties and responsibilities, along with the minimum education, work history, and other requirements (driver's license, state required certification, for example). The job description provides the basis for advertising the position, testing for the position, establishing entry-level medical standards, career medical and fitness standards, as well as training, and performance evaluation standards.

For example, Attachment B provides an excerpt of a job task analysis for a Deputy Sheriff Sergeant working in a new generation jail (City of Alexandria, Personnel Services Department,

December, 1988). This final task list was developed from many pages of information supplied by the position incumbents, as well as their supervisors. All tasks were ranked in order of importance, before the final list of knowledges, skills, abilities, and other characteristics for the position were derived. These are noted in Attachment C. From this list, the job description was updated, the promotional process revised, and new performance evaluation measures instituted.

ADA requires that the essential functions of the job be identified so that all position requirements can be documented as job relevant. For example, some agencies continue to require physical agility tests that have little or no correlation to on-the-job duties of the position. These inconsistencies and barriers are what ADA seeks to eliminate.

The job task analysis should identify the level of physical effort required for the position. (See Section E., Medical Standards.) Often the physical requirements are under or overestimated. These determinations affect not only the pre-employment medical standards, career medical and fitness standards, but "light duty" posts that have evolved in many organizations.

ADA also asks employers to assess if altering any physical standards for the position would significantly alter the job. For example, would an emergency communications technician's job be significantly altered if the requirement to be able to walk the stairs between the call-taking and dispatching positions were eliminated? In this case, the answer may be "no", with the reasonable accommodation of a ramp, hence opening a position for a disabled person who may use a wheelchair.

On the other hand, eliminating the physical requirement that a corrections officer be able to handcuff a struggling person would significantly alter the job. ADA does not require such a job modification. In either example, the documentation developed in the course of developing essential functions will serve to answer those who may challenge the standard.

B. Developing Position Announcements - Attachment D, provides a graphic display of the process for Establishing the Job Position Announcement (Virginia Department of Criminal Justice Services, 1992). Clearly, the way in which the position is advertised follows directly from the essential elements of the job. The criteria for screening applications should also be consistent with the essential functions. Of course, this is sound advice regardless of ADA.

Position announcements may also incorporate a summary of the physical and medical requirements for the position. This may accompany the more traditional listing of the position duties and the education, employment and other requirements. Position announcement should also include any position disqualifiers - including past or current illegal drug use, past criminal history, etc. This will assist applicants in self-selecting out of the process in the initial stages.

C. Screening Applicants - One of the most significant challenges presented by ADA is the prohibition of asking applicants about protected issues prior to a job offer. Among the issues that cannot be raised, according the Act, are medical conditions, past or present drug or alcohol use, and even some

questions aimed at establishing the candidate's emotional or mental health. A pre-job-offer physical agility test is also prohibited by the Act. As polygraph examinations require some inquiry into the applicant's health (blood pressure, current medications) to provide the examiner with necessary baseline information, the use of this tool is limited in a pre-offer setting.

How then, agencies ask, can we determine if a candidate can meet the physical, background, character, and medical standards necessary to perform the job? How can criminal justice agencies employ prior drug users, or even those who claim to have completed drug or alcohol rehabilitation programs? To offer jobs one at a time while each candidate is evaluated is not cost effective, realistic, nor even conceivable. Will assuring access by the disabled to corrections and law enforcement jobs result in a process that lowers the standards for those being hired?

The majority of the effort by law enforcement and corrections agencies since ADA has been on this single issue - how do we rationally process applicants - meeting our hiring needs (numbers) and standards, but remain in compliance with ADA? Added to these challenges are the fiscal restraints imposed on the hiring process in many jurisdictions.

This paper presents one strategy to achieve this end through a conditional job offer letter. This approach would appear to be most relevant to agencies with fewer than 300 employees. The conditional offer letter has been embraced by some organizations and ADA followers, rejected by others, and still no answer is available from the Equal Employment Opportunity Commission

(EEOC), the Federal agency responsible for ADA enforcement, as to whether the approach is acceptable.

If anything, ADA has resulted in criminal justice agencies further documenting why hiring decisions are made at entry level. Each step in the process must now contain more quantifiable and objective criteria. The revised process provides little room, rightly, to act on "hunches" or past experience with "that kind of applicant" in making hiring decisions.

D. Conditional Offer Letters - Attachment E presents the conditional offer letter now in use by the Alexandria, Virginia Office of Sheriff. Prior to using this approach, several issues must be addressed by agencies in order to curtail possible abuses.

What information can we gather about the applicant at these initial stages? The answer is any information that does not ask about the applicant's medical or emotional/mental history issues which are protected by ADA. The Act protects those who have completed a drug or alcohol rehabilitation program. Excluded from protection in the Act are current illegal drug use, and conditions such as homosexuality, transvestitism, bisexuality, transsexualism, voyeurism, etc. (See the ADA for further delineation of protected conditions and excluded conditions).

Requesting any information from the applicant beyond education background, employment history, military record, criminal activities, and driving record should wait until there is a job offer - in our use - a conditional job offer. The conditional offer letter comes at the stage after an applicant has had a

criminal history record check, a driving record check, and has successfully passed an oral interview panel. The interview panel uses job-related scenarios to evaluate the applicant's communication ability, past employment, and educational experience, along with other traits documented as relevant to Deputy Sheriffs managing inmates in new generation jails.

Every agency should know how many applications must be received before one qualified person emerges as suitable for hire. This data, known as the "yield ratio" is derived from carefully reviewing hiring cycles and determining when applicants drop out of the process. This analysis also, incidentally, documents where women, minorities, and others in protected classes fall out of the process and why. (A requirement of accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc.)

Chart 1

Example of Computing Yield Ratios for Entry-Level Hiring

<u>Steps in the Hiring Process</u>	<u>Number Remaining Applicants</u>	<u>Yield Ratio</u>
Applications Received	250	100
Meet Minimum Standards	225	1.1
Appear for Initial Interview	117	2.1
Pass Initial Interview	75	3.3
Pass Criminal History Check	65	3.8
Pass Driver Record Check	64	3.9
Given Conditional Officer Letter	64	3.9
Pass Background Investigation/Polygraph	50	5.0
Pass Pre-Employment Psychological Screening	25	10.0
Pass Pre-Employment Medical	20	12.5
Pass Final Interview	18	13.8
Offered Position/Eligibility List	18	13.8

In this example, the agency must receive 14 applications to hire one qualified candidate.

When the yield ratio is known, it may be used to determine the number of conditional job offer letters an agency should be issuing during the hiring process. In the example provided above, the agency should anticipate offering no more than 64 conditional offer letters to fill 18 positions. While this approach is not flawless, it does provide an objective and deliberative framework to approach a currently ambiguous area.

Following the conditional offer letter, questions can be asked concerning existing medical conditions, past or current use of illegal substances, and mental health history. The polygraph examination may be used effectively at this stage. Any pre-employment psychological screening can also take place after the conditional job offer letter.

If a position is not available at the time a candidate completes the process, he or she can have their name placed on an eligibility list for future hiring. Hopefully, if the hiring process matched the agency's needs through using the yield ratios, there will not be a lengthy eligibility list that could call into question the genuineness of a conditional job offer letter.

In the nine months since the Office of Sheriff has initiated the conditional offer letter, there have been no questions or challenges to its use by applicants. In the City of Alexandria, all public safety agencies (Fire, Police and Sheriff) agreed to this approach with the advice and consent of the City Attorney. Care is taken to review the conditional offer letter individually, in person, with each applicant. The applicant acknowledges receipt of the letter in writing. What constitutes "pass" and

"fail" in the process is spelled out in the letter. All those who have been discontinued in the process receive letters notifying them of the decision and why. The process has left little doubt as to why each candidate is disqualified, both for staff and the applicant. We have seen no decline in the quality of applicants hired because of this process modification. If anything, the result has been more carefully screened, high qualified candidates.

In conclusion, one strategy to address the ADA standards and establish a rational, timely, and cost effective hiring process, is the use of a conditional job offer letter. If used, letters should only be made to the smallest number of applicants, based on yield ratios, to meet the immediate hiring needs of the agency. The agency should assure the conditional offer letter clearly delineates the conditions that must be satisfied by the applicant prior to a final job offer. The agency needs to be as definitive as possible as to what constitutes "pass" or "fail" for each remaining phased of the process. A time deadline on length of time the conditional offer is effective should also be considered (for example, six months, one year). (See Attachment E, sample conditional offer letter.)

E. Pre-Employment Psychological Screening - The pre-employment psychological screening or examination has engendered much ADA related debate. One side claims that this process is not a medical examination and therefore is not precluded by the ADA at the initial stages (pre-offer letter) of applicant evaluation. The purpose of the screening is not to determine if there is disqualifying psychological pathology - or to put it simply -

"whether the person is crazy or not", and there is no diagnostic work-up. The process is only to determine whether the applicant's psychological traits match those needed to perform the job. (Needless to say, these psychological traits and behaviors will also have been validated as job relevant prior to use. See Zupan, et. al.)

The other side of this debate argues that any pre-employment psychological screening using traditional psychological testing tools (MMPI, California Inventory, etc.) will identify mental illness whether or not that is the intent of the testing/screening. For these reasons, it is perhaps best that any pre-employment psychological screening fall after the conditional offer letter. It is conceivable, however, that a two set process could be created to address pre-employment psychological screening. The first step occurring prior to the conditional offer letter to assess non-ADA protected behavioral traits. The second phase would follow the offer letter to delve more deeply into issues which are more medically-related.

F. Developing Pre-Employment Medical Standards - The issues of "validated" medical standards has plagued criminal justice agencies for years. The accreditation process for the CALEA requires those agencies seeking accreditation to assure their entry level medical standards are valid. The Commission and it's assessors, however, are not in a position to provide the technical evaluation of whether in fact, validation has occurred. Thus, it is difficult to assess whether there has been a contribution to the research as a result of these standards.

Medical screening will also take place in this post conditional offer phase. Placement of the medical examination in the process should be where it makes sense for the agency and where it might be most cost effective. For example, preliminary screening just after the conditional offer letter may eliminate some medical conditions (obesity, color blindness) or disabilities, thus saving further processing time and resources.

Since 1987, the City of Alexandria Office of Sheriff has requested the City to validate the entry-level medical standards used for public safety employees, including Deputy Sheriffs. The entry-level medical standards, developed in 1978, were based on available research at the time for fire, police and corrections. There had never been a study to match the entry-level medical requirements of those standards with actual required job performance. More importantly, there was and is an on-going controversy as to whether these entry-level standards are benchmarks for career fitness, as well as questions as to what medical standards should be used to evaluate an employee whose physical condition calls into question his or her ability to continue to perform the essential job functions.

Responding to this need, and concurrent with the passage of the ADA, the City prepared a request for proposal to hire a contractor to develop and validate entry level medical standards for all City positions. Phase one of this effort included all the public safety agencies, and was concluded in the summer of 1992. The final draft standards are awaiting adoption, along with adoption of the vendor's proposal as to the process by which applicants will be medically evaluated.

One of the vendor's first tasks was to search the literature for corrections-related medical standards. To no one's surprise there are no studies, reports, or literature concerning medical standards or fitness in corrections. While there has been some research on medical standards for fire fighters and police officers, the field is empty for corrections.

Attachment F, includes several examples of materials that were used by the vendor, Industrial Medical Services (IMS), a subsidiary of National Orthopaedics and Rehabilitation Hospital, Arlington, Virginia. These questionnaires, completed by staff, and followed-up by contractor visits to the work site, resulted in the medical standards currently proposed for Deputy Sheriffs in Alexandria. A sample of the final draft medical standards are included as Attachment G.

The survey instruments sought to quantify the physical demands of the job such as static strength, explosive strength, dynamic strength, trunk strength, stamina, effort, speed of limb movement, etc. The scales provided understandable benchmarks for staff in effectively responding to the survey. The survey also used the existing job task analysis to site specific corrections related duties (moving/shoving person, restraining inmates, searching inmates, firing weapon, using the computer system) and asked the staff to respond on a "level of effort" scale.

As important is the vendor's recommendation as to the process of evaluating the candidate's objective medical report to determine if he or she meets the medical standards. The process is designed to assure that the disabled are not summarily dis-

qualified while giving latitude to the medical professional evaluating the record. This process does not rely solely on the traditional pass/fail method, but rather recommends a two step process. The first step is medical testing and evaluation by a qualified physician; and then an evaluation of this medical record by a physician who is familiar with the essential job elements. This professional is referred to by the vendor as the "Sheriff's Office physician."

The medical standards identify conditions as either "Category A" which are 100% disqualifying, or "Category B", which require evaluation of the medical record by the "Sheriff's Office physician" prior to disqualification or acceptance. For example, there are no dental-related medical standards listed for Category A; but several for Category B, including diseases of the jaws or associated tissues, and orthodontic appliances. In addressing the vascular system, Category A medical conditions include among others, congenital or acquired lesions of the aorta and major vessels leading to (or predictably leading to) marked circulatory instability. In this same category hypertension is a Category B - to be evaluated by the "Sheriff's Office physician".

The standards are comprehensive and seek to assure inclusion of all areas of addressed by ADA. Included, for example, are psychiatric conditions, chemicals, drugs and medications, and all other physiological and medical possibilities.

The final draft listing of physical requirements of the entry-level corrections employees is included in Attachment H. Importantly, these standards may also be used in advertising the position, and placed in the conditional offer letter. This will

leave no doubt in the minds of applicants as to the validated physical requirements of the position. These standards will be an addition, in the near future, to the conditional offer letter for the Office of Sheriff.

In summary, development of valid medical standards will closely follow the process of identifying the essential elements of the job. Developing medical standards will require assistance from specialists. Again, this is an area in which a jurisdiction's public safety agencies will benefit from a shared contract to perform this analysis.

Consideration of medical standards should not, however, stop with entry-level hiring. Some consideration and thought must be given to "career" fitness standards and standards for evaluating the fitness for duty of staff who develop medical conditions in the course of their career.

G. Career Fitness Standards - Hardly a more acrimonious debate will develop among criminal justice staff than what physical and medical standards apply to them as career employees. Many states, including Virginia, have a "presumptive" clause in their worker's compensation statutes that have a potentially significant long term fiscal impact on the state and locality.

Briefly stated, these statutes provide that when pre-employment medical examinations find no evidence of heart and lung disease; and if an employee is later diagnosed with heart or lung disease that precludes them from performing their duties; and in the absence of any evidence to the contrary that the job duties were not a casual factor, the employee will be presumed to have

acquired this condition while employed. As such, disability payments may be initiated. Yet, how many law enforcement or corrections agency have career fitness or medical standards; how many provide medical or fitness evaluations after hire; and how many staff have been relegated to "light duty" positions because of their physical conditions?

These issues, when seen in the context of ADA, should give local criminal justice agencies more food for thought. How can disabled persons be denied employment when some existing staff are perhaps equally disabled by their physical condition, and remain working? Are there then posts that have been created by the agency, de facto, as "light duty" posts? Can't, then, these positions be filled permanently with staff who do not need to meet the more stringent entry-level medical standards?

The vendor made several recommendations relevant to this discussion, including:

1. Periodic medical evaluations based on the age of the employee (ages 29 and under, every three years; ages 30 - 39, every two years; and ages 40 and over, every year).

2. Coverage in the medical examination of those conditions evaluated in the entry-level process.

3. Phasing in medical standards for currently employed staff, with close evaluation of those who cannot meet these standards in terms of their posing " a substantial risk of harm to his/her own safety and health, or others.

To the unhappiness of the currently employed staff, IMS recommended that entry-level standards be the career fitness and medical standards, as well as standards used to evaluate fitness

for duty for those specific positions. Some argue that those fitness and medical standards for the 20 to 29 year old new hires, cannot be applied to older staff. IMS' position, along with others in the field, is that for a particular job class, the duties don't change with age, and, therefore, medical and fitness standards should remain the same. As a person proceeds through a career, promotions may result in moving to different job classes (for example Sergeant, Lieutenant), all of which should have different job descriptions/essential functions, and medical standards. So we can see that the process of developing medical standards should extend beyond the agency's entry level positions to assure ADA compliance.

This paper does not propose to answer all the questions surrounding career fitness and fitness for duty medical standards, but raises them as additional considerations for a local correctional administrator during the process of achieving ADA compliance. Consideration should be given to establishing a career fitness program for all job classes, with validated standards; as well as to assuring that the agency does not create "light duty" posts. The agency also should have standards against which to evaluate an employee's illness or medical condition prior to returning to employment.

H. Staff Training

Correctional staff need to be trained to recognize disabilities as well as medical conditions. There are, unfortunately, too many examples of persons with medical conditions and disabilities were not identified in time and who do not receive appro-

priate medical interview by criminal justice personnel. These range from seizures reassembling intoxication, to other syndromes which are manifested by violent and irrational behavior.

The Police Executive Research Forum (PERF) has been a leader in identifying training needs and providing recommendations for law enforcement personnel regarding those citizens with disabilities. PERF is developing materials and can provide technical assistance on these issues. PERF can be contacted at (202) 466-7820.

III. JAIL PROGRAMS AND SERVICES FOR THE DISABLED

A. Accessibility Issues for Local Detention Facilities - ADA provides that all public buildings need to be accessible to the disabled. Jails are seen as public buildings - just like schools and town hall. This means disabled access to parking, facility access through electronic opening doors, elevators or ramps instead of stairs, appropriate doorway thresholds, signs in Braille, inmate visiting booths which can be used the disabled, etc. Local governments should have already completed an inventory of all public facilities and completed the necessary renovations necessary to make public facilities accessible. As usual, jails are sometimes forgotten in this process. Correctional administrators should be cognizant of this obligation.

While the local government process is underway to evaluate public accessibility to jails and detention centers, the same accessibility issues need to be evaluated inside the facility for disabled inmates. Shower and toilet, sleeping, and program areas need to be accessible. Physical barriers to movement inside the facility need to be addressed, often by designating specific

housing areas, or cells, for housing disabled inmates.

Those corrections agencies planning for expansion, renovation, or new construction should assure, and not just assume, the architect incorporates the ADA physical standards. These standards are included in the Uniform Federal Accessibility Standard and/or the ADA Accessibility Guidelines.

B. Program Considerations for Local Detention Centers - Corrections administrators should assure that all inmate programs and services are available and accessible to any disabled inmates. If the same programs and services are not available, alternative services must be equal to those offered other inmates due to physical barriers. Inmates cannot be denied program access solely due to conditions protected by the ADA.

Correctional administrators should assure that some evaluation of inmates, detainees, or arrestees is made to determine any disability, even self-reported. While most jails staff are good at evaluating the condition of incoming and in-custody inmates, renewed efforts should be made to assure that disabled inmates are not inadvertently denied participation in programs and services.

As one part of the City of Alexandria's process of self-evaluation, all the Detention Center's programs and services were reviewed. There was some discussion that jail programs didn't need to be evaluated for accessibility as they were not "available to the general public". It was finally concluded that inmates are members of the general public and, therefore, the process should be completed, which it was.

IV. SUMMARY OF RECOMMENDATIONS

The following are suggested questions that corrections administrators can ask themselves to evaluate their agency's compliance with ADA mandates:

1. Determine your local government's response. Be sure you have a representative on any committee or task force working on jurisdiction-wide ADA issues. Has your jurisdiction's personnel agency begun working on modifying any essential job functions, job descriptions or medical standards? Has your jurisdiction's primary legal representative issues any decisions or guidance memos on ADA?

2. Determine the status of ADA compliance in your jurisdiction's other public safety/criminal justice agencies? Be sure to check on any additional staff training they may be planning.

3. If you haven't completed a self-assessment of building and program accessibility, get the forms from your local government's ADA coordinator and begin the process.

4. Determine your local government's plans for assuring jail accessibility for handicapped visitors or volunteers; as well a accessibility for handicapped inmates. Determine a budget for achieving compliance. How did the local government pay for these changes in other public buildings?

5. Review all the job task analysis and essential functions for all positions in your agency. How long ago were they updated? Are they sufficiently detailed, objective and quantifiable to provide a basis for medical standards?

6. Review any medical standards for your staff. When was the date they were updated and validated? Are there career fitness standards? Has your staff ever been evaluated medically, or for fitness level since they were hired?

7. Carefully review all posts in the agency. Have permanent, or semi-permanent "light duty posts" be created? Do you need personnel doing those jobs who possess the physical abilities as all other staff? How would you defend that decision?

8. What is your agency's, or your local government's, process for evaluating the ability of current staff whose physical ability to do their job is in question (fitness for duty)? This does not include temporary disabilities such as a broken leg or pregnancy. Do you have some staff whom you believe put themselves in physical danger, or others in danger, because of their physical condition?

9. When was the last time your staff was trained to identify disabilities at intake, or while inmates are incarcerated? What was the training's content, and how is the training documented?

10. In the last year, how many inmates were held in your facility who were disabled? Where were they held? Did they have access to all programs and services? How easily could a disabled inmate move around your facility? Could the person get a shower or use the toilet easily?

11. Can members of the public or volunteers who are disabled, easily get into, around, and out of your facility?

Corrections administrators can be leaders or followers in ADA compliance issues. As with other similar mandates, ignorance of the law will not excuse the administrator from failing to comply. ADA compliance will sharpen an agency's ability to do their job better, particularly in personnel related matters. Clarification expected in the near future should ease some of the burden of the different advice now available.

Good luck!

V. RESOURCES/BIBLIOGRAPHY

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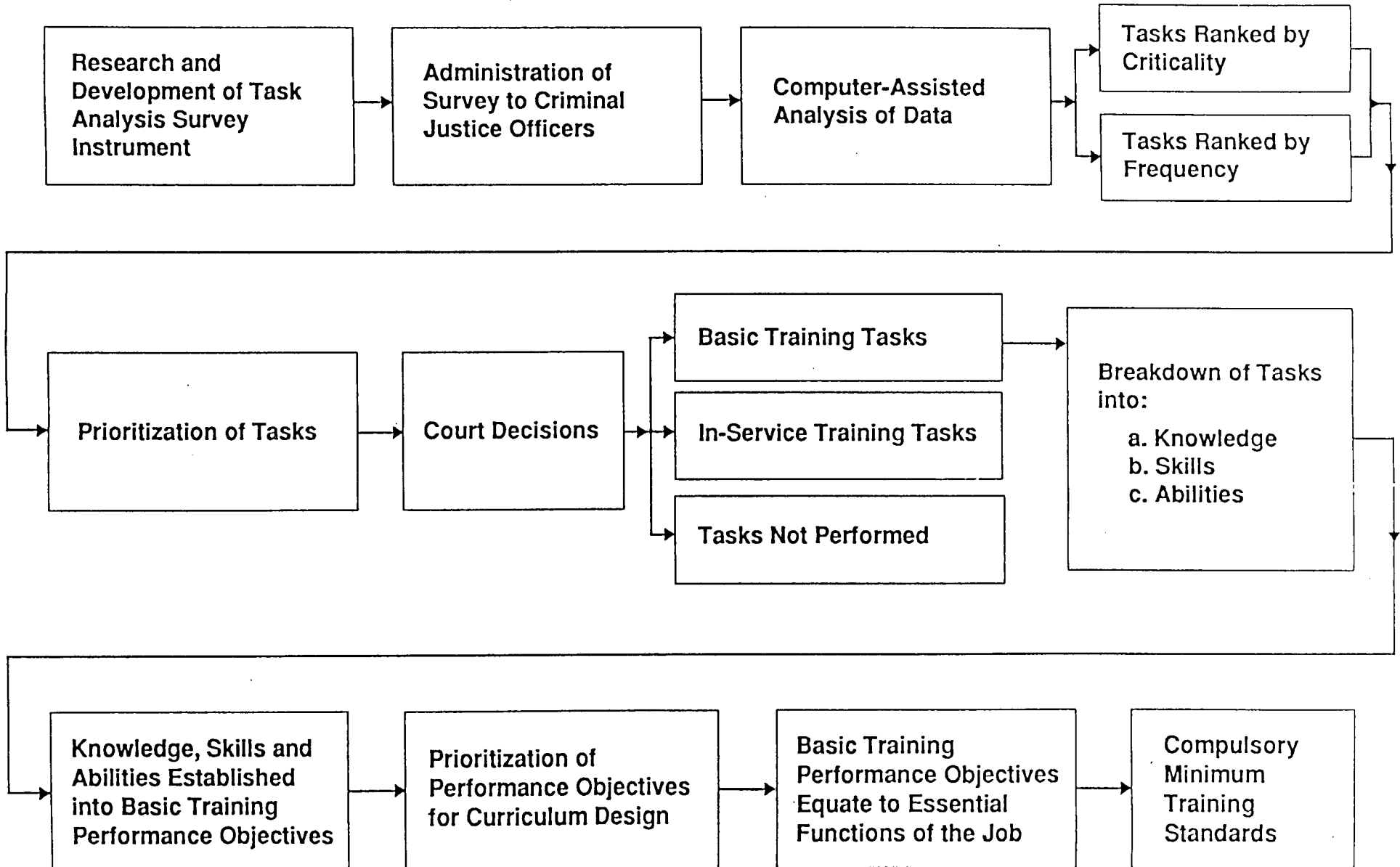
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DCJS Process

Establishing Essential Functions of the Job



ATTACHMENT B

Component 02: **Personnel/Vehicle/Equipment/Building Inspection and Maintenance**

33. Conducts informal and formal inspections of cruisers, equipment, uniforms and personnel.
34. Reviews vehicle maintenance check forms prepared by subordinates.
35. Submits reports on all inspections conducted on deputies' equipment and uniforms.
36. Conducts inspections of building, supplies, and equipment.

Component 03: **Policy Program Preparation/Evaluation**

37. Writes directives to cover unwritten Office policies.
38. Reviews policies prepared by others and makes recommendations before final policies are adopted.
39. Writes proposals for changes in policy.
40. Writes official policies for specific unit or location, but not for adoption on an Office of Sheriff basis.
41. Writes manuals defining work responsibilities for various subordinate positions.
42. Evaluates facts gathered during inspections of operation and makes recommendations for any needed changes.
43. Reviews the operation of new plans or procedures to determine if they are functioning according to plans.
44. Reviews operational problems with affected units.

Component 04: **Inmate Management**

45. Supervises the processing of inmates at the Correction Center.
46. Supervises all booking procedures, including warrant and arrest documentation.
47. Reviews information on incoming inmates, including criminal records, current charges, possible suicidal tendencies, and any medical problems.

48. Supervises the care of inmates at the Correction Center.
49. Oversees the seizure of property and contraband, assuring provision of all inmate/arrestee rights.
50. Supervises the processing of arrestee into holding area.
51. Assures determination of medical and mental condition of arrestees.
52. Reviews classification of all new inmates.
53. Recommends change in classification or re-evaluation of classification of inmates, as appropriate.
54. Patrols and inspects the conditions of modules.
55. Insures module cleanliness.
56. Insures module security.
57. Regulates all security aspects of the Correction Center.
58. Screens all non-Office of Sheriff personnel entering Correction Center.
59. Explains (to subordinates and public) and enforces Correction Center/Office of Sheriff rules and regulations.
60. Conducts inmate disciplinary hearings.
61. Makes recommendations on inmate involvement in alternative programs.
62. Confers with and answers questions concerning inmate activities and processing with attorneys, court personnel, police officers, families of inmates, the general public, and criminal justice officials.
63. Conducts roll call, including inspection and training activities.
64. Monitors all minor and major construction and maintenance projects, involving facilities under the control of the Sheriff, to maintain facility security.
65. Performs law enforcement responsibilities as dictated by situation, including response to emergency situations.
66. Monitors all inmate transportation to facilities, courts, and correction centers.
67. Insures inmate safety, with respect to danger from self or others, within Correction Center.

68. Gathers information (evidence, witnesses) in regard to incidents and crimes within the jurisdiction of the Sheriff.
69. Reviews inmate records and files, for thoroughness.
70. Insures inmate counts prior to shift change.
71. Insures quantity and quality of inmate meals.
72. Insures inmates have adequate opportunity for physical activity.
73. Directs routine or special searches of all parts of Correction Center for contraband and/or evidence of attempted breaks.
74. Processes and responds to, in writing, inmate grievances and requests.
75. Directs movement of prisoners throughout correctional facility.
76. Oversees and coordinates operation of food service, medical service, volunteers and other programs.

Component 05: General Report Preparation and Review

77. Completes brief incident reports by consolidating and summarizing information.
78. Completes status report on weekly or monthly basis, consolidating information from reports on shorter time periods.
79. Writes correspondence to answer questions, provide information, request information, etc.
80. Drafts written strategies or operational guidelines to be followed in specialized or major situations, emergencies, etc.
81. Reviews incident-type reports, records, or activity logs to evaluate contents for completeness, accuracy, legibility, neatness, and proper documentation.
82. Reviews reports, memos, directives, in order to disseminate information.
83. Reviews reports to make written recommendations to superiors for changes in operational procedures.

ATTACHMENT C

FORM C

Knowledges, Skills, Abilities, and Other Characteristics
(KSAOs)

Analysis: Ability to identify problems, determine their probable causes, and obtain information relevant to the problems. Ability to analyze data and situations and to size-up the problems and possible interrelationships.

- ~ notes critical interrelationships among data
- ~ asks appropriate questions to obtain relevant information
- ~ identifies existing and potential problems
- ~ determines the relative importance of various factors
- ~ pays attention to important details
- ~ Takes steps to obtain relevant information not currently available

Decisiveness: Ability to make necessary decisions and commitments without deferring actions when a decision can and should be made.

- ~ does not defer action when a decision must be made
- ~ makes decisions, when necessary and possible, rather than delaying or "passing the buck"
- ~ assumes decisive position, rather than wavering

Decision Making: Ability to determine possible actions and to reach sound, logical decisions with respect to the situation. (This includes developing or choosing among alternatives and preparing contingency plans where necessary.)

- ~ considers possible courses of action and determines the best possible solution
- ~ makes sound, logical decisions
- ~ evaluates implications and impact of decisions
- ~ develops contingency plans and alternative actions

Planning and Organizing: Ability to develop procedures to effectively and efficiently accomplish a goal or solve a problem. (This includes prioritizing own work and that of subordinates, scheduling personnel and resources, and organizing information so that it can be effectively utilized.)

- ~ prioritizes assignments in terms of importance and due dates
- ~ plans and organizes data so that it can be effectively utilized

- utilizes individual and group time effectively
- suggests procedures to facilitate individual and group activities
- develops coordinated plans for handling items and issues

Leadership: Ability to initiate actions and to effectively guide an individual or a group to accomplish a task or goal. Ability to produce positive results from competing factions or positions, through conflict resolution.

- makes suggestions to get a job done
- sees to it that necessary activities are accomplished
- attempts to positively influence people and events
- obtains support of others for own ideas and positions
- takes positive action rather than simply responding to events

Oral Communication: Ability to verbally transmit information and ideas in a clear and concise manner. (This includes articulation, grammar, volume, and appropriate non-verbal communications such as gestures and eye contact.)

- speaks in a clear, articulate manner
- uses appropriate volume
- speaks in a concise style
- uses well-constructed sentences
- easily understood
- does not use slang

Written Communication: Ability to write in a clear and concise manner to insure understanding of communication by others. (This includes grammar, spelling, punctuation, etc.)

- writes in a clear manner
- uses correct grammar, spelling, etc.
- writes in a concise manner
- does not omit important details

Job Knowledge: Possession of the necessary technical and/or process information to perform the job effectively.

- is aware of regulations, procedures, and policies which affect work activities
- understands technical aspects of the job

Dependability: Can be relied on to appropriately complete a task or assignment, without constant supervision.

- completes a task without having to be reminded or prodded

- completes assignments in a timely manner
- produces quality products without constant review

Interpersonal Ability: Ability to interact with others in a manner which demonstrates consideration for their needs and feelings. Ability to establish and maintain effective working relationships with all levels within the workforce, other relevant County/City departments, other jurisdictions, or the general public.

- displays cordiality in interpersonal relations
- avoids offense in dealing with other people
- recognizes others' viewpoints and allows them to present their opinions
- explains tasks to subordinates when necessary
- apologizes when unintentionally interrupts others
- thanks people for past work or support

Delegation and Assignment: Ability to utilize subordinates effectively for the development of decisions and organizational actions which they can best make. (This includes the delegation of sufficient authority for action and the provision of supervisory or policy guidance. Delegation and Assignment is more issue or project-specific whereas Planning and Organizing relates to behaviors which require the day-to-day or large-scale scheduling of personnel and/or equipment, prioritizing subordinate work, etc.)

- assigns work to appropriate subordinates
- gives clear and necessary instructions or guidance to subordinates
- gives subordinates required authority to complete assignments

Project/Task Control: Ability to develop necessary procedures to insure the timely and appropriate completion of work assigned to others. (This includes establishing appropriate timeframes for completion of assignments and reviewing subordinate work for accuracy and completeness.)

- keeps close tabs on project and assignment milestones and deadlines
- sets dates for replies on certain actions
- keeps records of which tasks were assigned to whom and checks on task progress periodically
- keeps abreast of other activities which impact on accomplishment of project or task

Self-control: Ability to perform effectively regardless of external factors, such as time pressures, opposition from others, physical demands, or other stressful conditions.

- speaks calmly when situation is tense
- does not become confused or have trouble making decisions under stress
- maintains effective productivity under adverse conditions
- reacts to difficult situations in a positive, productive manner
- does not become involved in unproductive arguments

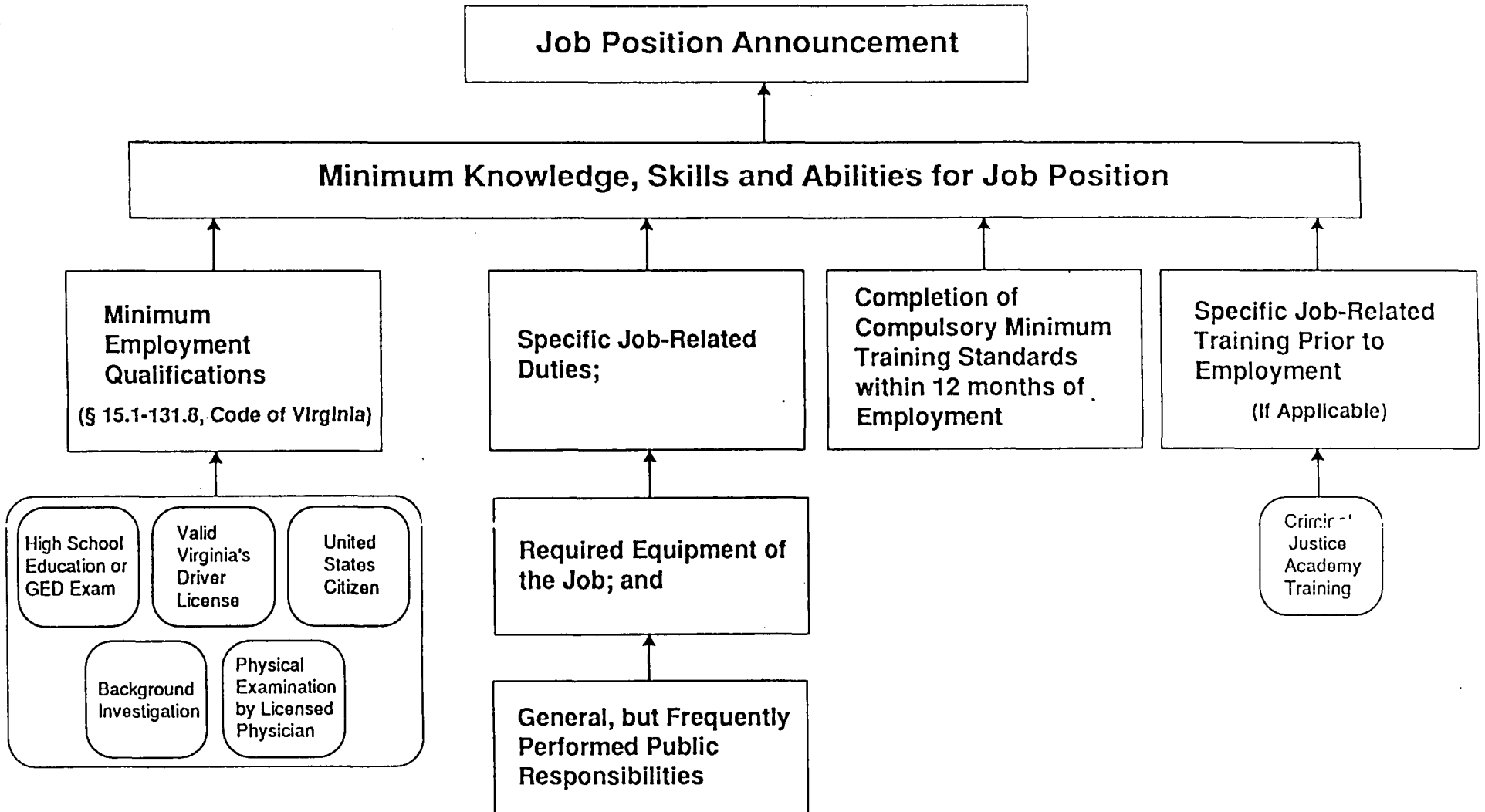
Flexibility: Ability to make necessary modifications in own behavior and work methods in response to changing conditions, new information, or unexpected obstacles.

- changes approach to a problem based on valid criticism or new information
- does not rigidly adhere to a procedure when task accomplishment is jeopardized
- accepts valuable modifications to own plans
- suggests modifications to own plan when impasse has been reached
- modifies actions based on new information
- actions allow for use of future, new information

Memory: Ability to retain and demonstrate a large amount of job information, without reference to manuals, journals, reports, etc.

- recalls quickly and accurately important project data
- states correct organizational procedures and rules
- enumerates specific technical knowledge concerning job or profession

Establishing the Job Position Announcement



Source: Alexandria, Virginia Office of Sheriff

October 29, 1992

&Name&
&Address&
&State&

Re: Conditional Offer Of Employment

Dear &Salutation&:

Your application for the position of Deputy Sheriff with the City of Alexandria Office of Sheriff is being processed, and in accordance with the Americans With Disabilities Act (ADA) of 1990, we hereby tender to you a Conditional Offer of Employment. The pay rate for this position is \$26,665 per year, along with the standard benefits package as provided by the City of Alexandria Office of Sheriff appointees.

This offer of employment is conditional upon your successfully completing each phase of the selection process as identified below. Successful completion is defined in the standards cited in the written job description for the position, the polygraph and background disqualification statements (enclosed here), the psychological job compatibility testing, and physical condition requirements established by the Office of Sheriff and City of Alexandria as well as all applicable federal and state statutes and administrative regulations:

- [] A polygraph examination conducted by a qualified polygraph examiner.
- [] A psychological screening for job compatibility conducted and interpreted by a licensed psychologist or psychiatrist.
- [] A background investigation conducted according to guidelines set forth by the City of Alexandria for its Office of Sheriff appointees.
- [] A comprehensive medical examination by a licensed physician contracted by the City of Alexandria for this purpose, to be administered according to guidelines set forth by the City of Alexandria for its Office of Sheriff appointees.
- [] Interview with Sheriff or designee.

You will be notified when and where to appear to complete the processes outlined above. Should you fail to complete any of the above requirements due to any provisions protected by the ADA,

the Office of Sheriff will investigate the circumstances to determine whether a reasonable accommodation can be made that will permit you to perform the essential job functions required of the position without undue hardship or disruption to the employer. If such accommodation is not possible or practical, or if you fail any requirement imposed by State or Federal law or regulation, this offer of employment will be withdrawn.

If you successfully complete the above requirements, you will be placed on an eligibility list for future hire as vacancies occur. A second polygraph examination may be conducted if your confirmation of employment is more than six (6) months after the successful completion of the initial polygraph exam. Your eligibility will expire twelve (12) months from the date of your final interview with the Sheriff or his designee.

New Deputy Sheriffs will sign a Letter of Agreement addressing the following:

1. All staff of the Office of Sheriff are appointed by and serve at the pleasure of the Sheriff.
2. Initial assignments are to the Operations Bureau, Security Division. Deputies who have completed Academy minimum standards training and served their probationary period are eligible to apply for transfer opportunities in other areas of the Office.
3. This Office provides new Deputy Sheriffs with initial on-the-job training. Deputy Sheriffs are then eligible to attend the Northern Virginia Criminal Justice Academy (NVCJA), pending successful completion of the Field Training Program and a review of performance. The Academy's program certifies Deputies in law enforcement, corrections, civil process, and court services. This training includes firearms training - an area in which Deputies must develop and maintain a specific level of proficiency.

As the Office is making this substantial investment in each Deputy Sheriff and in his/her career, we require that new Deputy Sheriffs agree to remain an employee of this Office for a period of one year following completion of NVCJA training. If a Deputy Sheriff chooses to leave the employ of this Office prior to that time, he or she is required to reimburse this Office for all of their training expenses on a pro-rata basis. At the time of separation from service from the Office, if arrangements are not made for payment of the amount due, a 9% annual interest charge will be added to the unpaid balance. In the event payment is not made, the Deputy agrees to pay reasonable attorney fees and court costs incurred by the Office in collecting the unpaid balance.

4. To fulfill provisions of the Code of Virginia, Deputy Sheriffs are required to maintain a valid driver's license.
5. Deputy Sheriffs are encouraged to maintain the physical fitness level prescribed by the Office of Sheriff Fitness Program.
6. The Office of Sheriff strongly encourages all employees to pursue a Bachelor's Degree. We encourage this career development and will facilitate enrollment in higher education programs. The level of an employee's post-secondary education is one factor used in making promotional decisions.
7. All employees of this Office must agree to abide by the Office of Sheriff General Orders, Standard Operating Procedures, applicable City Administrative Regulations, and other lawful orders and directives.
8. Deputy Sheriffs must agree to carry out their duties impartially, to the best of their ability, and to not discriminate against any person because of their race, religion, sex, or country of national origin.

If you are employed with us, you will be required to serve a probationary period of twelve months. You will be terminated if your performance is unsatisfactory.

Sincerely,

James H. Dunning
Sheriff

JHD:rlh

Enclosure

I have read this Conditional Offer of Employment and I agree to accept the provisions cited above.

Signature

Date

Witnessed and explained by:

Signature

Date

ATTACHMENT F



Industrial Medical Services

City of Alexandria
Medical Standards Revision Program

PART I

BIOGRAPHICAL AND HEALTH DATA

1. Age
 - 1 - 25 years old and under
 - 2 - 26 to 35
 - 3 - 36 to 45
 - 4 - 46 to 55
 - 5 - Over 56 years old
2. Sex 1 - Male 2 - Female
3. What do you consider your ethnicity?
 - 1 - White
 - 2 - Black
 - 3 - Hispanic
 - 4 - Asian or Pacific Islander
 - 5 - American Indian or Alaskan Native
4. Which best describes the education you have completed?
 - 1 - Less than High School
 - 2 - High School Diploma or GED
 - 3 - Less than two years of college
 - 4 - AA Degree or certificate
 - 5 - Three or four years of college - no degree
 - 6 - Bachelors Degree or higher
5. Your position can best be described as:

6. How long have you been in your present position?
 - 1 - Less than 12 months
 - 2 - One to 5 years
 - 3 - 5 to 15 years
 - 4 - 15 to 25 years
 - 5 - Over 25 years
7. If you supervise, how many people do you supervise?

8. Do you consider yourself to have one of the following physical conditions?

- 1 - Impairment of sight, hearing, or speech
- 2 - Impairment of physical ability that significantly and negatively influences with your ability to do your job
- 3 - Any health impairment which requires ongoing medical care, or job accomodation

- | | | |
|--|---------|--------|
| 9. Do you smoke? | 1 - Yes | 2 - No |
| 10. Do you have high blood pressure? | 1 - Yes | 2 - No |
| 11. Do you take any medication on a regular basis? | 1 - Yes | 2 - No |
| 12. Do you wear contact lenses routinely? | 1 - Yes | 2 - No |
| 13. Do you know what your cholesterol level is? | 1 - Yes | 2 - No |
| 14. Do you consider yourself physically fit? | 1 - Yes | 2 - No |
| 15. Do you exercise regularly? | 1 - Yes | 2 - No |
| 16. Do you consider your job stressful? | 1 - Yes | 2 - No |
| 17. Are you content with your work? | 1 - Yes | 2 - No |

PART II WORKING CONDITIONS

SURVEY FORM

1. **INSIDE** — Working under a roof and with all sides protected from the weather (exclude motor vehicles from consideration).
 - (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — 10% or less of working time spent inside a building.
 - (2) **MODERATE** — 10% to 90% of working time spent inside a building.
 - (3) **GREAT** — 90% to 100% of working time spent inside a building.

2. **OUTSIDE** — Working outside exposed to the weather — heat, cold, humidity, dryness, wetness, and dust (due to climate rather than other sources).
 - (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — 10% or less of working time spent outside a building.
 - (2) **MODERATE** — 10% to 90% of working time spent outside a building.
 - (3) **GREAT** — 90% to 100% of working time spent outside a building.

3. **LOW TEMPERATURE** — Working in a relatively low average degree of temperature.
 - (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Work in an environment that averages between 40 to 60 degrees F.
 - (2) **MODERATE** — Work in an environment that averages between 15 to 40 degrees F.
 - (3) **GREAT** — Work in an environment below 15 degrees F, or sedentary work in an environment below 40 degrees F.

4. **HIGH TEMPERATURE** — Working in a relatively high average degree of temperature.
 - (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Work in an environment that averages between 70-80 degrees F, or occasional work in an environment up to 90 degrees F.
 - (2) **MODERATE** — Intermittent work in an environment that averages 70-80 degrees F, or occasional work in an environment above 80 degrees F.
 - (3) **GREAT** — Intermittent work in an environment above 90 degrees F, or hard manual labor in an environment between 80 and 90 degrees F.

5. **SUDDEN TEMPERATURE CHANGES** — Working where temperature changes of more than 10 degrees may take place.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Subjected to temperature changes from 10 to 20 degrees F.
 - (2) **MODERATE** — Subjected to temperature changes from 10 to 30 degrees F (such as in and out of a controlled environment, vehicle or building).
 - (3) **GREAT** — Subjected to changes of more than 30 degrees F.
6. **LOW HUMIDITY** — Working under conditions in which the atmosphere contains a low degree of moisture relative to temperature and air movement.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Mildly uncomfortable.
 - (2) **MODERATE** — Work in an environment where relative humidity is 50% or less at temperatures below 90 degrees F.
 - (3) **GREAT** — Work in an environment where temperature is above 90 degrees F, and relative humidity is 50% or less.
7. **HIGH HUMIDITY** — Working under conditions in which the atmosphere contains a high degree of moisture relative to temperature and air movements.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Relative humidity between 50-70%.
 - (2) **MODERATE** — Relative humidity between 70-80%.
 - (3) **GREAT** — Relative humidity exceeding 80%, especially where air is still and artificial ventilation is not provided (tropic-like environment).
8. **WETNESS** — Contact with water at site of work.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Occasional or intermittent work in areas which have a localized wet spot.
 - (2) **MODERATE** — Intermittent work in areas in which the floor or ground is usually wet or covered with water.
 - (3) **GREAT** — Constant work in or near water where worker's clothes are always damp or wet.

9. **SLIPPERY SURFACES** — Working where there is a possibility of falling or losing one's footing because of slippery surfaces.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Occasional work where surfaces are slippery.
 - (2) **MODERATE** — More or less continuous work on slippery surfaces.
 - (3) **GREAT** — Sustained work on slippery surfaces.
10. **BODY INJURIES** — Possibility of cuts, bruises, sprains, fractures, or amputation.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Possibility of minor cuts and bruises.
 - (2) **MODERATE** — Possibility of deep cuts, sprains, and fractures taking several weeks to heal.
 - (3) **GREAT** — Possibility of severe and permanent injuries, including amputation.
11. **HIGH ELEVATIONS** — Working above floor or ground level.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Work from platforms or fairly stable surfaces up to 4 feet above floor or ground level.
 - (2) **MODERATE** — Work from ladders or other surfaces from 4 to 12 feet above floor or ground level.
 - (3) **GREAT** — Work from ladders, scaffolding, rigging, bosun's chairs or other equipment more than 12 feet above floor or ground level.
12. **CONFINED SPACES AND/OR CRAMPED BODY POSITIONS** — Positions in which the worker is narrowly hemmed in, or work which requires awkward or strained positions to perform.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Occasional work in confined or cramped position less than 30% of work time.
 - (2) **MODERATE** — Intermittent work in confined or cramped positions 30% to 60% of work time.
 - (3) **GREAT** — Sustained work in confined spaces or cramped positions. Work in locations in which the worker is not hemmed in but is required to assume very awkward or strained positions more than 60% of the time.

13. **MOVING OBJECTS** — Working on or about moving machinery or equipment, in the vicinity of vehicles in motion, or near any object that changes place or position whereby the well-being of the worker may be jeopardized.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Possibility of injury from the moving object is slight if ordinary precaution is taken.
 - (2) **MODERATE** — Reasonable precaution above ordinary must be observed to prevent body injury to self or to others.
 - (3) **GREAT** — Worker must be especially watchful and quick to notice moving objects whose speed, velocity, or sudden appearance in the work area may result in severe injury to self or to others.
14. **VIBRATION** — Exposure of the body, particularly the arms and legs, to sudden jerks and jars or vibration.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Minor strain or vibration for short periods of time.
 - (2) **MODERATE** — Some strain or vibration for moderate periods of time.
 - (3) **GREAT** — Pronounced continuous strain or vibration to body, arms, and legs.
15. **NOISE** — Working condition in which sound is produced as part of the work process or is a part of the job.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Low sound or occasional fairly loud sounds.
 - (2) **MODERATE** — Steady and fairly loud noises.
 - (3) **GREAT** — Intermittent or continued loud and insistent noise.
16. **BURNS** — Possibility of injuries to the body caused by heat, fire, chemicals or electricity.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Possibility of superficial burns, especially on arms or legs.
 - (2) **MODERATE** — Possibility of burns of the second degree affecting large areas, or small burns of the third degree.
 - (3) **GREAT** — Possibility of large third degree burns or any fourth degree burn.

17. **NON-IONIZING RADIATION** — Possibility of exposure to radiation caused by welding flash, microwaves, or sunburn.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Relatively slight chance of exposure.
 - (2) **MODERATE** — Occasional exposure.
 - (3) **GREAT** — Continous heavy exposure.
18. **DUST** — Working in an area where the air contains varying quantities of fine, dry particles of earth or matter other than free silica or asbestos.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Minor amounts of dust.
 - (2) **MODERATE** — Large amounts of dust.
 - (3) **GREAT** — High concentration of dust.
19. **SILICA DUST** — Working in an area which contains free silica or asbestos dust.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — 5% or less of the time spent in an area which contains a low concentration of silica or asbestos dust.
 - (2) **MODERATE** — 5% of the time spent in an area which contains a high concentration of silica or asbestos dust.
 - (3) **GREAT** — More than 5% of the time spent in an area which contains silia or asbestos dust.
20. **ALLERGENIC** — Working in situations with possibility of exposure to common allergy-causing agents such as bee or wasp stings and poison oak, ivy and sumac.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Occasional or infrequent exposure.
 - (2) **MODERATE** — Intermittent exposure.
 - (3) **GREAT** — Continuous exposure.

21. **TOXIC CONDITIONS** — Exposure to toxins: dusts (other than silica and asbestos), fumes, liquids, gasses (aldehydes, other than gasses resulting from plastics fires; or carbon monoxide, the effects of which may be multiplied by smoking or proximity to open flame) which cause general or localized disabling conditions.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Exposure limited, or substances low in concentration.
 - (2) **MODERATE** — Exposure frequent, or substances fairly high in concentrations.
 - (3) **GREAT** — Sustained exposure to toxic substances whose effects may be cumulative, or substances very high in concentration or which may require wearing of self-contained breathing apparatus.
22. **CHEMICAL IRRITANT** — Working in situations where chemical irritants such as fires with plastics may be involved.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Relatively slight chance of exposure to chemical irritants.
 - (2) **MODERATE** — Occasional exposure to chemical irritants.
 - (3) **GREAT** — Frequent exposure to chemical irritants.
23. **OILY** — Using oil or grease in normal performance of work.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Occasional handling of oil or grease.
 - (2) **MODERATE** — Major tasks involve handling oil or grease.
 - (3) **GREAT** — Handles oil in oil refining or production work.
24. **ODORS** — Working condition in which worker necessarily comes in contact with noxious air.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Small concentration of an offending substance.
 - (2) **MODERATE** — Medium concentration of an offending substance.
 - (3) **GREAT** — Large concentration of an offending substance.

25. **EXPLOSIVES** — Working with or near material which, under certain conditions, is apt to rapidly burst or break up into pieces, accompanied by a noise.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Work with or near material which may explode but which is not apt to if ordinary precautions are observed.
 - (2) **MODERATE** — Work with or near material which has a high critical ignition or explosion point but which must be handled with extra precaution.
 - (3) **GREAT** — Work with or near material which has a low explosion point which can be exploded by shock, friction, or a spark; has a high shattering effect and usually causes severe or permanent disability to nearby workers.
26. **ELECTRICAL HAZARDS** — Possibility of contact with uninsulated or unshielded electrical equipment.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Possibility of slight shock causing momentary discomfort.
 - (2) **MODERATE** — Possibility of shocks causing marked discomfort and temporary respiratory and circulatory disturbances.
 - (3) **GREAT** — Possibility of shocks which may result in death.
27. **IONIZING RADIATION** — Possibility of exposure to radiation from such sources as radioactive isotopes, x-rays, and other nuclear substances.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Relatively slight chance of exposure.
 - (2) **MODERATE** — Occasional exposure.
 - (3) **GREAT** — Continuous heavy exposure.
28. **INFECTIONS** — Any infections caused by micro-organisms. Rated in terms of probability of occurrence rather than actual occurrence, and severity.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Exposure to infections readily curable and not ordinarily requiring extended loss of time. Exposure to sudden temperature changes and to wet weather conditions may result in common cold.
 - (2) **MODERATE** — Exposure to curable infections which may require extended loss of time.
 - (3) **GREAT** — Exposure to infections which often produce chronic disease or death.

29. **AIR PRESSURE** — Working under a high or low pressure condition caused by atmosphere or compressed air forces.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Pressure conditions may cause slight buzzing, dizziness or nausea.
 - (2) **MODERATE** — Compressed air is used to maintain above normal atmospheric pressure.
 - (3) **GREAT** — Change of pressure on entering or leaving work place may cause "bends," vertigo, labored breathing, collapse and unconsciousness.
30. **WORKING WITH OTHERS** — Association with others in the course of job performance.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Association with other persons is casual or is necessary only upon occasion.
 - (2) **MODERATE** — Association with others is intermittent and necessary.
 - (3) **GREAT** — Association with other persons is frequent and constitutes the major portion of the job's requirement, or is necessary as a member of a working team, to perform a specific task efficiently.
31. **RESPONSIBILITY FOR PERSONS** — Having responsibility for the welfare and lives of others.
- (0) **NO EFFECT** — Is not a condition of the Study Job.
 - (1) **LITTLE** — Such responsibility is rare.
 - (2) **MODERATE** — Such responsibility is occasional.
 - (3) **GREAT** — Such responsibility is often.
32. **JOB COMPLEXITY** — The degree and depth of such factors as significant professional training, specialized knowledge and skills, variability of tasks, and analytical requirements.
- (0) **NO EFFECT** — The Study Job is routine.
 - (1) **LITTLE** — Technical skills are required. The job is well defined and described in most details. There is a procedure for nearly every type of task.
 - (2) **MODERATE** — The Study Job requires professional training and involves working independently to perform a variety of tasks. Only general guidelines are available.
 - (3) **GREAT** — The Study Job is a composite of complicated and involved elements which require considerable study and very high degrees of knowledge in dealing with a problem or assignment.

33. **ROLE AMBIGUITY** — Lack of clarity about what others expect of you on the job.

(0) **NO EFFECT** — Is not a condition of the Study Job.

(1) **LITTLE** — What others expect of you on the job is usually clear.

(2) **MODERATE** — Occasionally what is expected is not clear.

(3) **GREAT** — What is expected is usually not clear.

34. **IRREGULAR OR EXTENDED WORK HOURS** — Working under conditions that cause fluctuating work hours.

(0) **NO EFFECT** — Is not a condition of the Study Job.

(1) **LITTLE** — Relatively slight chance that work hours will change or you will be required to work beyond normal hours.

(2) **MODERATE** — Occasionally required to change work hours or work beyond normal quitting time.

(3) **GREAT** — Frequently required to change (rotate) work hours (shift assignment) or to extend work hours beyond normal quitting time.

PART II
WORKING CONDITIONS

ANSWER SHEET

1. INSIDE
0 1 2 3

2. OUTSIDE
0 1 2 3

3. LOW TEMPERATURE
0 1 2 3

4. HIGH TEMPERATURE
0 1 2 3

5. SUDDEN TEMPERATURE CHANGES
0 1 2 3

6. LOW HUMIDITY
0 1 2 3

7. HIGH HUMIDITY
0 1 2 3

8. WETNESS
0 1 2 3

9. SLIPPERY SURFACES
0 1 2 3

10. BODY INJURIES
0 1 2 3

11. HIGH ELEVATIONS
0 1 2 3

12. CONFINED SPACES
0 1 2 3

13. MOVING OBJECTS
0 1 2 3

14. VIBRATION
0 1 2 3

15. NOISE
0 1 2 3

16. BURNS
0 1 2 3

17. NON-IONIZING RADIATION
0 1 2 3

18. DUST
0 1 2 3

19. SILICA DUST
0 1 2 3

20. ALLERGENIC
0 1 2 3

21. TOXIC CONDITIONS
0 1 2 3

22. CHEMICAL IRRITANT
0 1 2 3

23. OILY
0 1 2 3

24. ODORS
0 1 2 3

25. EXPLOSIVES
0 1 2 3

26. ELECTRICAL HAZARDS
0 1 2 3

27. IONIZING RADIATION
0 1 2 3

28. INFECTIONS
0 1 2 3

29. AIR PRESSURE
0 1 2 3

30. WORKING WITH OTHERS
0 1 2 3

31. RESPONSIBILITY FOR PERSONS
0 1 2 3

32. JOB COMPLEXITY
0 1 2 3

33. ROLE AMBIGUITY
0 1 2 3

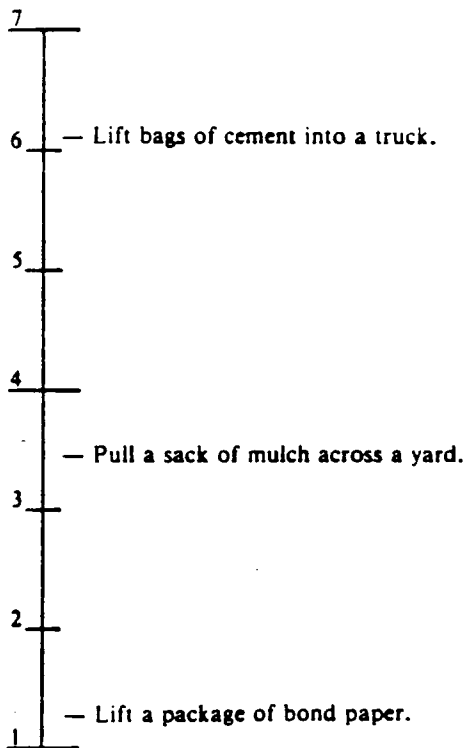
34. IRREGULAR HOURS
0 1 2 3

PART III
PHYSICAL ABILITIES

SURVEY FORM

1. Static Strength

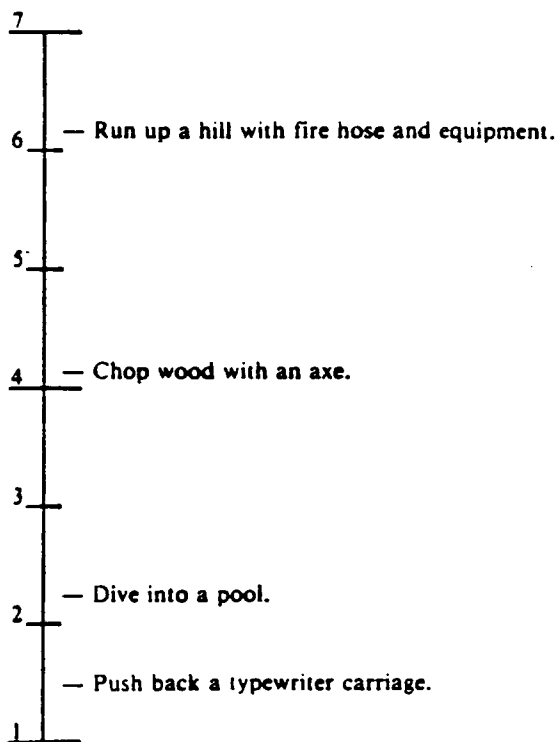
Requires use of all the muscle force possible to lift, carry, push or pull a very heavy object.



Requires use of a little muscle force to lift, carry, push or pull a light object.

2. Explosive Strength

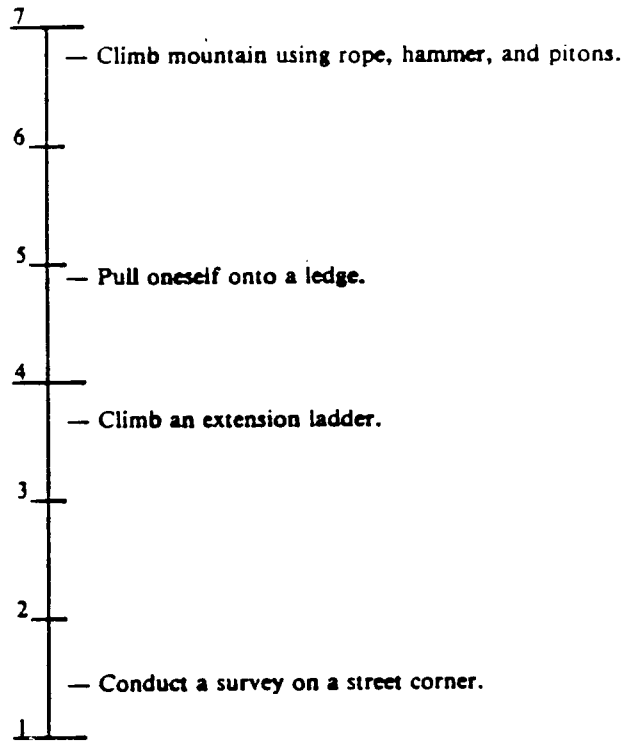
Requires bursts of all the muscle force possible to propel one's own body weight or objects.



Requires bursts of a little muscle force to move one's own body weight or objects.

3. Dynamic Strength

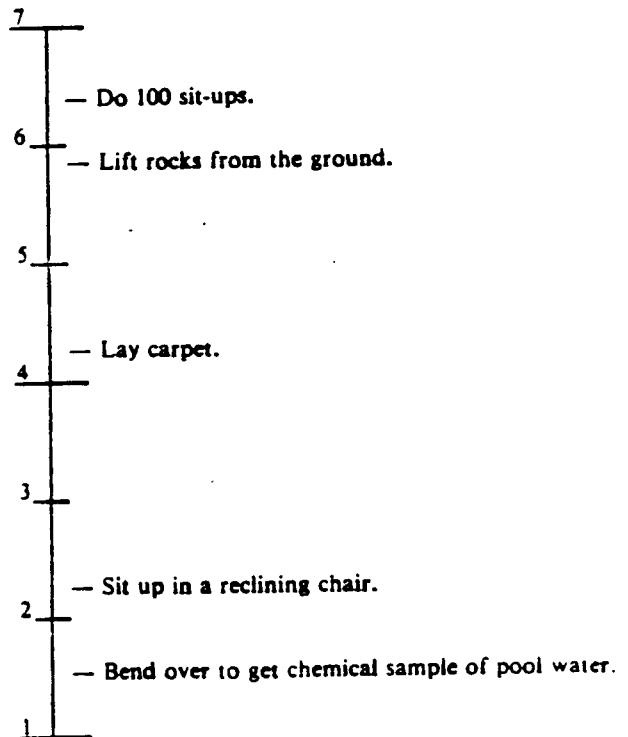
Requires use of all muscle force possible to hold up or move the body weights for long periods.



Requires use of a little muscle force to hold up or move the body weight for a short time.

4. Trunk Strength

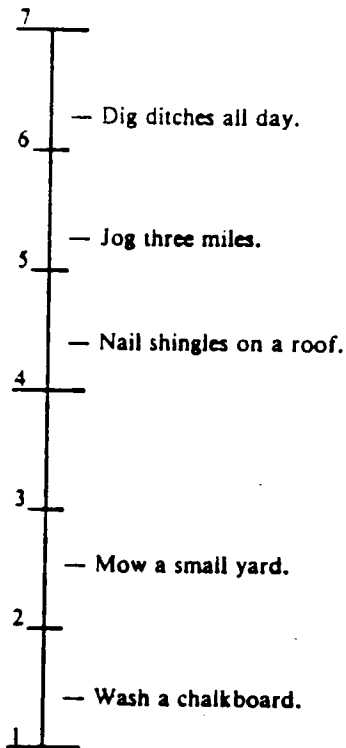
Requires use of all the stomach and lower back muscle force possible to hold up or move part of your body for as long as possible.



Requires use of a little stomach and lower back muscle force to hold up or move part of your body for a short time.

5. Stamina

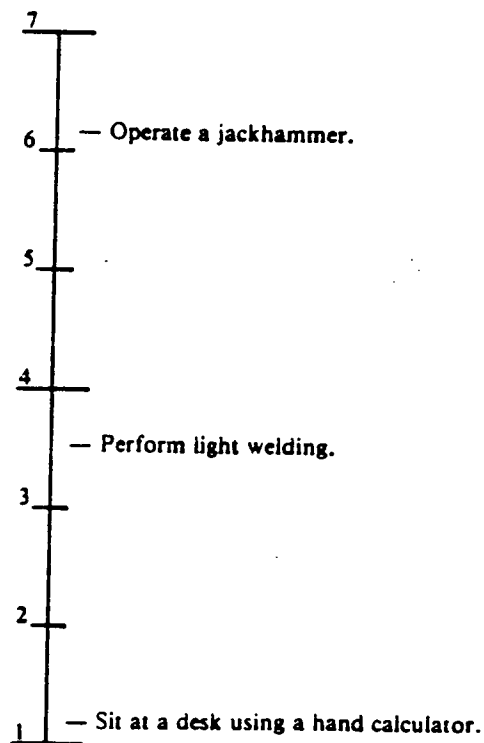
Requires physical activity of the whole body over a long time, with great strain on the heart and blood vessels.



Requires physical activity of the whole body over a short time with little strain on the heart and blood vessels.

6. Effort

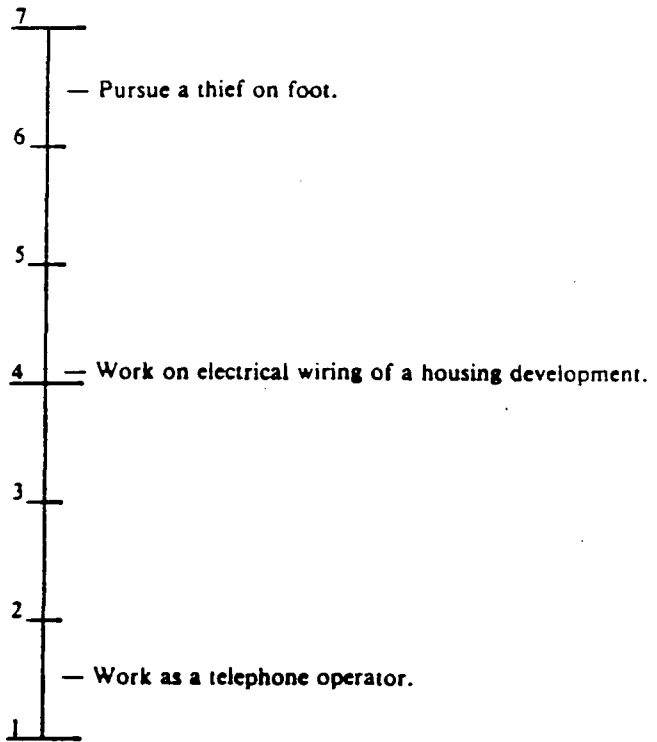
Requires extensive physical exertion.



Requires little physical exertion.

9. Mobility

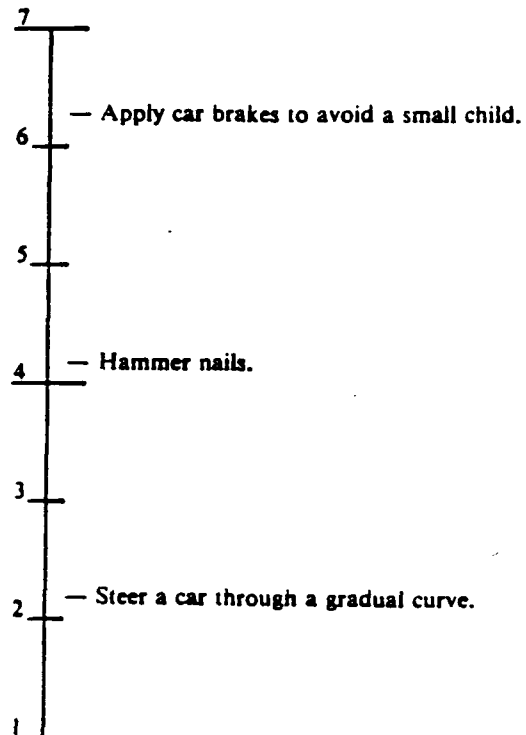
Requires continuous transport of the body in the work space.



Requires some body transport for brief periods in the work space.

10. Speed of Limb Movement

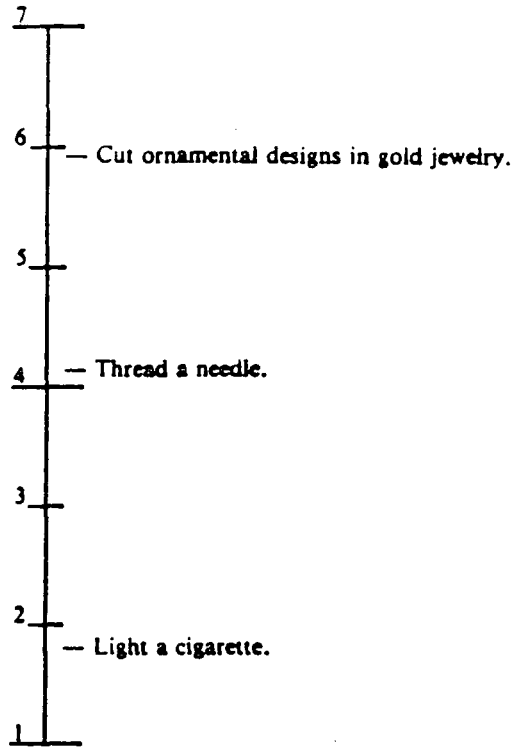
Requires very fast movement of the arms or legs when little time is allowed to complete the movement.



Requires movement of the arms or legs when a fairly long time is allowed to complete the movement.

13. Arm-Hand Steadiness

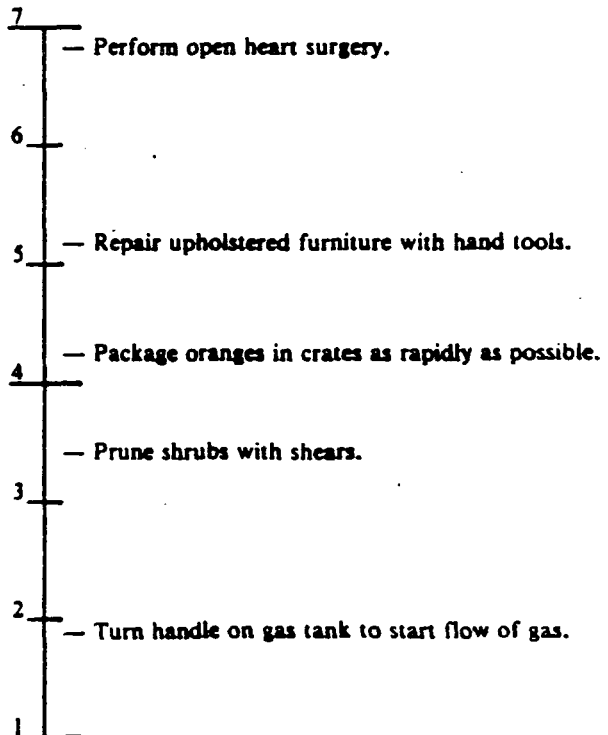
Requires extreme steadiness to move the arm and one hand or to hold them in position.



Requires only a little steadiness to move the arm and hand or to hold them in one position.

14. Manual Dexterity

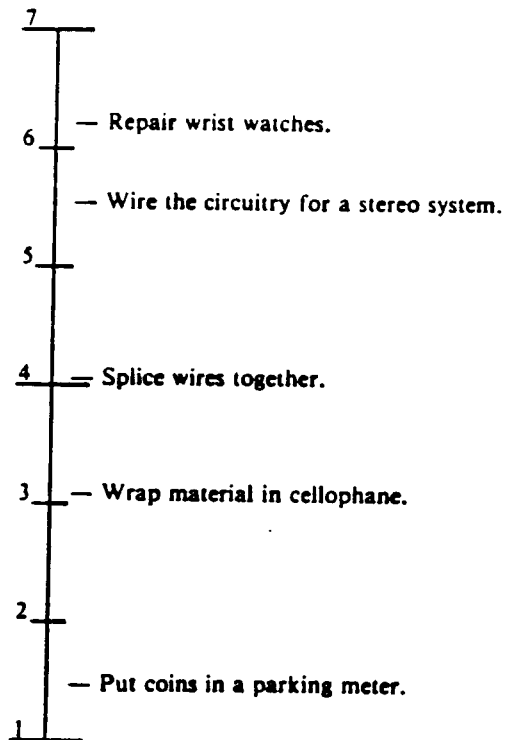
Requires very fast, skillful, coordinated use of one hand, a hand and arm, or two hands to grasp, place, move or assemble objects.



Requires some speed, skill, and coordination to grasp, place, move or assemble objects with one hand, a hand and arm, or two hands.

15. Finger Dexterity

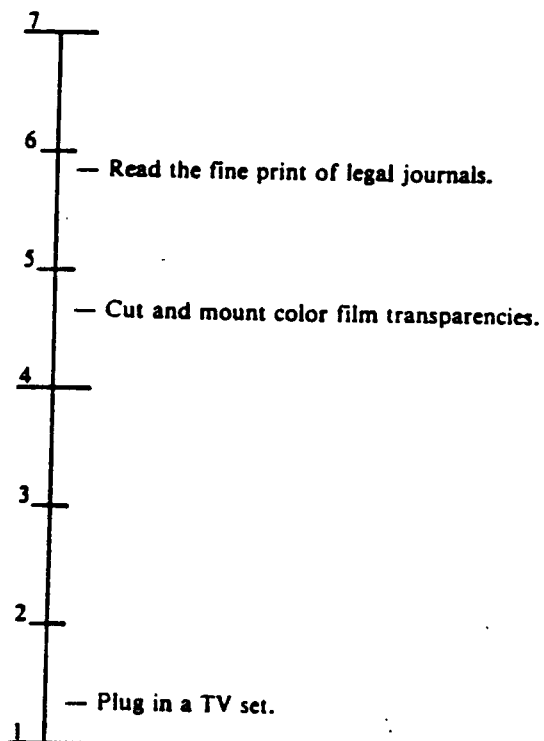
Requires very fast, skillful, coordinated use of the fingers of one or both hands to grasp, place, or move very small objects.



Requires some speed, skill and coordination to grasp, place, or move small objects with the fingers of one or both hands.

16. Near Vision

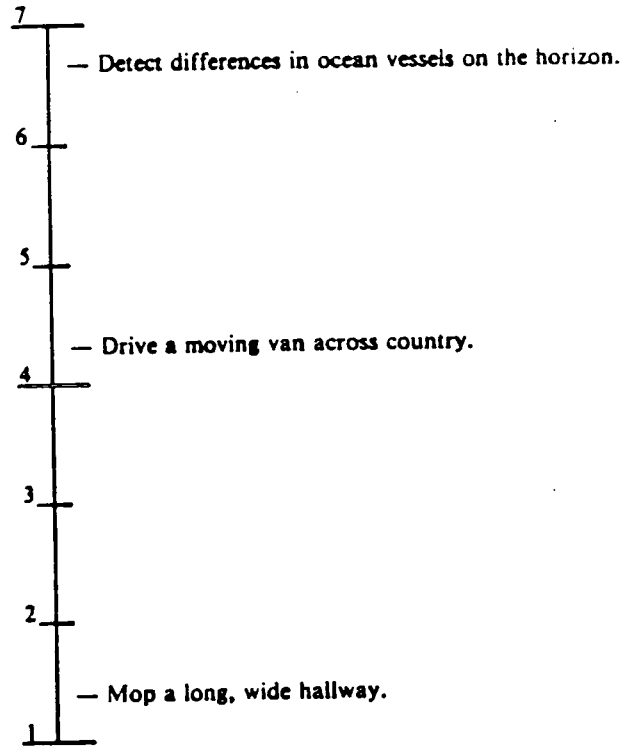
Requires long periods of directed near visual activity.



Requires occasional near visual activity.

17. Far Vision

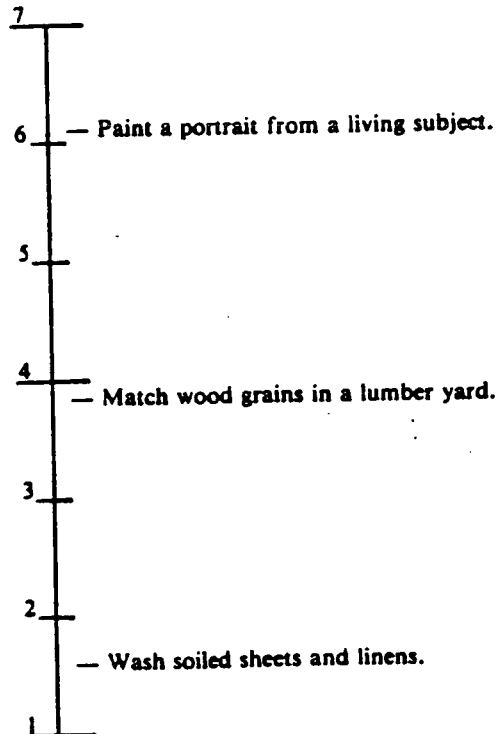
Requires long periods of directed far visual activity.



Requires occasional far visual activity.

18. Visual Color Discrimination

Requires continuous detection of color differences.



Requires occasional detection of color differences.

✶ NOTE: THIS SURVEY FORM IS NOT USED FOR #19 THRU 22.

PART III - ANSWER SHEET

ALEXANDRIA SHERIFFS
PHYSICAL ABILITIES

Amount Import. Freq.
(1 - 7) (1 - 7) (1 - 7)

1. Static Strength - Use of maximal muscle force to move a heavy object without pausing

Moving/shoving person _____

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2. Explosive Strength - Short bursts of force to move yourself or an object

Inmate restraint/separating people fighting _____

--	--	--

3. Dynamic Strength - Repeated, continuous movement without muscle fatigue

Shakedowns of cell _____

--	--	--

4. Trunk Strength - Use of strength of low back or abdominal muscles to move or support part of your body continuously and repeatedly without muscle fatigue

Lifting/carrying people _____

--	--	--

5. Stamina - Physical exertion of whole body for prolonged time without getting out of breath

Chasing suspects _____

--	--	--

6. Effort - Combination of strength and stamina of whole body

Wrestling/restraining inmates _____

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Amount Import. Freq.
(1 - 7) (1 - 7) (1 - 7)

7. Extent Flexibility - Moving body, or body part, into unusual positions

Getting property down off high shelves _____

--	--	--

8. Dynamic Flexibility - Many fast, repeated movements

Searching inmates/Shakedown _____

--	--	--

9. Mobility - Continuously moving your body over distance

Security rounds/patrol _____

--	--	--

Escorting workers/prisoners _____

--	--	--

10. Speed of Limb Movement - Moving arms or legs quickly

Emergency braking in vehicle _____

--	--	--

Self defense _____

--	--	--

11. Gross Body Coordination - Coordination of all body parts to perform difficult movements

Defensive tactics, take-down moves _____

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12. Gross Body Equilibrium - Keeping your balance in unstable positions

Walking catwalks in jail house _____

--	--	--

13. Arm-Hand Steadiness, both during arm movement, and while holding hand and arm still

Firing weapon _____

--	--	--

Fingerprinting _____

--	--	--

Amount Import. Freq.
 (1 - 7) (1 - 7) (1 - 7)

14. Manual Dexterity - Fast,
 skillful arm and hand movement

Applying/removing handcuffs _____

--	--	--

15. Finger Dexterity - Fast,
 skillful finger movement

Searching clothing, property _____

--	--	--

16. Near Vision -
 Seeing clearly up close

Studying mug shots _____

--	--	--

Reading (reports, SOP's, etc) _____

--	--	--

17. Far Vision -
 Seeing clearly at a distance

Security/observation of unit _____

--	--	--

18. Visual Color Discrimination -
 Ability to match or discriminate
 between colors, as well as
 different shades of color

Using CJIS computer system _____

--	--	--

Color-coded commitment and
 release paperwork _____

--	--	--

19. Ability to hear and understand
 conversation in a
quiet environment

Listening for sounds of
 escape at night _____

N/A		
-----	--	--

20. Ability to hear and understand
 conversation in a
noisy environment

Intercom on the elevators _____

N/A		
-----	--	--

Working in booking area _____

N/A		
-----	--	--

Amount Import. Freq.
(1 - 7) (1 - 7) (1 - 7)

21. Ability to determine
correct location
of sound by hearing alone

Locating fights in units
or problems in cells _____

N/A		
-----	--	--

22. Ability to discriminate
among non-speech sounds
and identify them

Security breaks
(Hammering, breaking glass) _____

N/A		
-----	--	--

THANK YOU VERY MUCH FOR YOUR TIME AND EFFORTS
IN FILLING OUT THIS QUESTIONNAIRE!

ATTACHMENT G

A-5-3.1 Category A medical conditions:

- (a) Hearing deficit in pure tone thresholds in the unaided worst ear:
- (1) Greater than 25 Db in three out of four frequencies:
 - (i) 500 Hz, (ii) 1000 Hz, (iii) 2000 Hz, (iv) 3000 Hz
 - (2) Greater than 30 Db in any one of the three frequencies:
 - (i) 500 Hz, (ii) 1000 Hz, (iii) 2000 Hz; and an average greater than 30 Db for the four frequencies (Hz):
 - (i) 500, (ii) 1000, (iii) 2000, (iv) 3000.
- [Inability to hear sounds of low intensity or to distinguish voice from background noise, leading to failure to respond to imminently hazardous situations.]

When an otherwise excellent candidate is borderline on this hearing test, consideration may be given to performing "speech audiometry" testing. While this study allows a better assessment of the candidate's functional hearing, it generally requires the services of a qualified audiologist and is therefore not suitable as a screening tool.

A-5-3.2 Category B medical conditions:

- (a) Auditory canal - atresia, severe stenosis, or tumor.
[Inability to hear sounds of low intensity or to distinguish voice from background noise, leading to failure to respond to imminently hazardous situations.]
- (b) Severe external otitis (e.g., recurrent loss of hearing).
[Inability to hear sounds of low intensity or to distinguish voice from background noise, leading to failure to respond to imminently hazardous situations.]
- (c) Auricle, severe agenesis or traumatic deformity (e.g., interferes with ability to wear protective equipment or with hearing acuity). [Inability to properly wear protective equipment; inability to hear sounds of low intensity or to distinguish voice from background noise, leading to failure to respond to imminently hazardous situations.]
- (d) Mastoid, severe mastoiditis or surgical deformity. [Inability to properly wear protective equipment inability to hear sounds of low intensity or to distinguish voice from background noise, leading to failure to respond to imminently hazardous situations.]
- (e) Meniere's syndrome or labyrinthitis (e.g., severe). [Potential for sudden incapacitation; inability to perform job functions due to limitations of balance.]

- (f) Otitis media, (e.g., chronic). [Frequent episodes of pain or inability to perform work; inability to hear sounds of low intensity or to distinguish voice from background noise, leading to failure to respond to imminently hazardous situations.]
- (g) Any other ear condition that results in a person not being able to perform as a deputy sheriff.

A-5-4.2 Category B medical conditions:

- (a) Diseases of the jaws or associated tissues (e.g., incapacitating or preclude ability to use protective equipment). [Inability to properly wear protective equipment.]
- (b) Orthodontic appliances (e.g., precluding ability to use protective equipment). [Inability to properly wear protective equipment.]
- (c) Oral tissues, extensive loss (e.g., precludes satisfactory post-orthodontic replacement or ability to use protective equipment; inability to properly wear protective equipment). [Inability to communicate effectively due to oropharyngeal dysfunction.]
- (d) Relationship between the mandible and maxilla which precludes satisfactory post-orthodontic replacement or ability to use protective equipment. [Inability to properly wear protective equipment; inability to communicate effectively due to oropharyngeal dysfunction.]
- (e) Any other dental condition that results in a person not being able to perform as a deputy sheriff.

A-5-5.1 Category A medical conditions:

- (a) Tracheostomy. [Inability to properly wear protective equipment; inability to perform job functions due to limitations of endurance; inability to communicate effectively due to oropharyngeal dysfunction.]
- (b) Mutism, regardless of cause. [Inability to communicate effectively due to oropharyngeal dysfunction.]
- (c) Anosmia. [Inability to smell smoke or hazardous materials resulting in failure to respond to imminently hazardous situation.]

A-5-5.2 Category B medical conditions:

- (a) Congenital or acquired deformity (e.g., interferes with ability to use protective equipment). [Inability to properly wear protective equipment.]
- (b) Allergic respiratory disorder (e.g., not controlled). [Frequent episodes of pain or inability to perform work; inability to perform functions as a deputy sheriff due to limitations of endurance.]
- (c) Sinusitis, recurrent (e.g., severe- requiring repeated hospitalizations or impairment). [Frequent episodes of pain or inability to perform work.]
- (d) Dysphonia, severe. [Inability to communicate effectively due to oropharyngeal dysfunction.]
- (e) Any other nose, oropharynx, trachea, esophagus, or larynx condition that results in a person not being able to perform as a deputy sheriff or to communicate effectively.

A-5-6.1 Category A medical conditions:

- (a) Suppurative disease of lung or pleural space (e.g., chronic abscess of lung, bronchiectasis, or empyema). [Inability to perform functions as a deputy sheriff due to limitations of endurance.]
- (b) Active, cavitary tuberculosis. Public safety officials should not serve as a potential medium for the transmission of serious infectious disease while performing public services. [Inability to perform functions as a deputy sheriff due to limitations of endurance.]

A-5-6.2 Category B medical conditions:

- (a) Lobectomy (e.g., medical examination or pulmonary function testing indicating significant impairment). [Inability to perform essential functions as a deputy sheriff due to limitations of strength or endurance.]
- (b) Bronchial asthma (e.g., frequent medication use or symptoms caused by exposures to exertion, heat/cold, or products of combustion and other irritant inhalation). [Frequent episodes of pain or inability to perform work; potential for sudden incapacitation; inability to perform functions as a deputy sheriff due to limitations of endurance.]

- (c) History of bronchiectasis, bronchitis, fibrous pleurisy, fibrosis, cystic disease, tuberculous, or mycotic disease of the lung (e.g., significant residual impairment of pulmonary function or requiring frequent therapy). [Frequent episodes of pain or inability to perform work; inability to perform the essential functions of a deputy sheriff due to limitations of endurance.]
- (d) Pneumothorax (e.g., history of recurrent spontaneous pneumothorax). [Potential for sudden incapacitation; inability to perform job functions due to limitation of endurance.]
- (e) Any other pulmonary or chest wall condition that results in a person not being able to perform as a deputy sheriff.

A-5-7.1.1 Category A medical conditions:

- (a) Current angina pectoris. [Frequent episodes of pain or inability to perform work; progressive illness leading to functional impairment; potential for sudden incapacitation.]
- (b) Left bundle branch block or second degree Type II A-V block. [Potential for sudden incapacitation.]
- (c) Myocardial insufficiency (e.g., Congestive circulatory failure, cardiac decompensation). [Frequent episodes of pain or inability to perform work; progressive illness leading to functional impairment; potential for sudden incapacitation.]
- (d) Acute pericarditis, endocarditis, or myocarditis. Chronic pericarditis, endocarditis with resultant significant valvular lesions, or myocarditis leading to myocardial insufficiency or serious arrhythmias. [Frequent episodes of pain or inability to perform work.]
- (e-i) [Potential for sudden incapacitation.]

A-5-7.1.2 Category B medical conditions:

- (a) Significant valvular lesions of the heart including prosthetic valves (e.g., risk of sudden incapacitation, bleeding due to anti-coagulant therapy, or impaired exercise tolerance. Mitral valve prolapse without significant symptoms or simple presence of aortic bicuspid valve would not exclude an individual). [Potential for sudden incapacitation.]
- (b) Coronary artery arteriosclerosis (e.g., asymptomatic documented significant coronary artery disease). [Progressive illness leading to functional impairment; potential for sudden incapacitation.]

- (c) Atrial tachycardia, flutter, or fibrillation (e.g., acute or recurrent even with treatment). [Potential for sudden incapacitation.]
- (d) Third degree A-V block (e.g., disqualified unless exercise can be performed with an adequate heart rate response). [Frequent episodes of pain or inability to perform work; potential for sudden incapacitation.]
- (e) Ventricular tachycardia. [Potential for sudden incapacitation; inability to perform job functions due to limitations of strength or endurance.]
- (f) Hypertrophy of the heart (e.g., likely to lead to congestive heart failure). [Potential for sudden incapacitation; inability to perform job functions due to limitations of endurance.]
- (g) Recurrent paroxysmal tachycardia. [Potential for sudden incapacitation; inability to perform job functions due to limitations of strength or endurance.]
- (h) History of a congenital abnormality that has been treated by surgery but with residual complications or that has not been treated by surgery leaving residuals or complications. [Frequent episodes of pain or inability to perform work; potential for sudden incapacitation.]
- (j) History of myocardial infarction, coronary artery bypass, or coronary angioplasty. [Progressive illness leading to functional impairment; potential for sudden incapacitation.]
- (k) Any other cardiac condition that results in a person not being able to perform as a deputy sheriff.

A-5-7.2.1 Category A medical conditions:

- (a) Congenital or acquired lesions of the aorta and major vessels (e.g., syphilitic aortitis, demonstrable atherosclerosis that interferes with circulation, congenital or acquired dilatation of the aorta). [Potential for sudden incapacitation; inability to perform functions of a deputy sheriff due to limitations of endurance.]
- (b) Marked circulatory instability as indicated by orthostatic hypotension, persistent tachycardia, and severe peripheral vasomotor disturbances. [Inability to perform functions as a deputy sheriff due to limitations of endurance; inability to perform functions of a deputy sheriff due to limitations of balance.]

- (c) Aneurysm of the heart or major vessel, congenital or acquired. [Frequent episodes of pain or inability to perform work; potential for sudden incapacitation.]

A-5-7.2.2 Category B medical conditions:

- (a) Hypertension (e.g., uncontrolled, poorly controlled, evidence of significant end-organ damage, or requiring medication likely to interfere with performance of duties). [Progressive illness leading to functional impairment; potential for sudden incapacitation.]
- (b) Peripheral vascular disease such as Raynaud's phenomenon (e.g., interferes with performance of duties or makes the individual likely to have significant risk of severe injury). [Frequent episodes of pain or inability to perform work; inability to perform functions as a deputy sheriff due to limitations of endurance.]
- (c) Recurrent thrombophlebitis. [Frequent episodes of pain or inability to perform work; inability to perform functions as a deputy sheriff due to limitations of endurance.]
- (d) Chronic lymphedema due to lymphopathy or severe venous valvular incompetency. [Inability to perform functions as a deputy sheriff due to limitations of endurance.]
- (e) Any other vascular condition that results in a person not being able to perform as a deputy sheriff.

A-5-8.1 Category A medical conditions:

- (a) Chronic active hepatitis. [Frequent episodes of pain or inability to perform work.]
- (b) Recurrent peptic ulcer with bleeding. [Frequent episodes of pain; inability to do work; sudden incapacitation.]

A-5-8.2 Category B medical conditions:

- (a) Cholelithiasis or cholecystitis (e.g., frequent pain due to stones, infection). [Frequent episodes of pain or inability to perform work.]
- (b) Gastritis (e.g., recurrent pain and impairment). [Frequent episodes of pain or inability to perform work.]

- (c) Acute hepatitis (e.g., until resolution of acute hepatitis as determined by clinical examination and appropriate laboratory testing). [Frequent episodes of pain or inability to perform work.]
- (d) Hernia (e.g., inguinal or abdominal hernia which could obstruct during duty). [Potential for sudden incapacitation.]
- (e) Inflammatory bowel disease (e.g., disabling pain or diarrhea). [Frequent episodes of pain or inability to perform work; progressive illness leading to functional impairment.]
- (f) Intestinal obstruction (e.g., recent obstruction with impairment). [Frequent episodes of pain or inability to perform work; potential for sudden incapacitation.]
- (g) Pancreatitis (e.g., chronic or recurrent with impairment). [Frequent episodes of pain or inability to perform work.]
- (h) Resection, bowel (e.g., if frequent diarrhea precludes performance of duty). [Frequent episodes of pain or inability to perform work.]
- (i) Ulcer, gastrointestinal (e.g., symptoms uncontrolled by drugs or surgery). [Frequent episodes of pain or inability to perform work.]
- (j) Cirrhosis, hepatic or biliary. (e.g., symptomatic or danger of bleeding). [Frequent episodes of pain or inability to perform work.]
- (k) Diverticulosis. [Sudden incapacitation.]
- (l) Any other gastrointestinal condition that results in a person not being able to perform as a deputy sheriff.

A-5-9.1.2 Category B medical conditions:

- (a) The pregnant deputy's capability to perform as a deputy sheriff should be periodically evaluated during pregnancy, particularly during the later months. [Frequent episodes of pain or inability to perform work; inability to perform functions as a deputy sheriff due to limitations of endurance or flexibility; inability to perform functions as a deputy sheriff due to limitations of strength; inability to properly wear protective equipment.]

There is medical evidence that chemical exposure, heat, noise, and physical exertion affects various endpoints of reproductive health, including fertility, fetal loss, and growth parameters of the offspring.

ATTACHMENT H

VI. FITNESS REQUIREMENTS

Physical fitness has a number of components, but for the purposes of this limited study we will divide them into four general areas:

- 1) aerobic, or cardiovascular fitness
- 2) muscular fitness
- 3) body composition
- 4) flexibility

The muscular dimension can be further divided into elements of strength, muscular endurance, and power.

6-1 Aerobic or cardiovascular fitness

6-1.1 A moderately high level of aerobic fitness is imperative. A discussion of the methodology and rationale for these tests can be found in Appendix A.

6-1.2 Aerobic capacity will be measured using a multi-lead exercise test.

6-1.3 A fitness level of 13 METS will meet job requirements and provide a margin of safety for the future. The minimum level should be 12 METS. This corresponds to completing 11 minutes of the Bruce protocol.

6-1.4 Aerobic capacity - 12 METS (or 42.0 ml/kg/min)
Work Tolerance Test - 11 minutes Bruce Protocol
(Symptom limited maximal test)

6-2 Musculoskeletal

6-2.1 Neuromuscular fitness will be assessed through factor analysis of various capacities and capabilities.

6-2.2 **Muscular strength** - is the ability to exert maximal force through the recruitment of muscle fibers. We can measure strength as a function of the force generated, such as the total mass lifted, or as the amount of force generated against a calibrated resistance. Strength can be "dynamic", where the mass or weight is moved, or "static" (isometric), where nothing moves and a gauge is used to determine force.

Static strength

a. **Hand grip** (Use high quality dynamometer such as that produced by Jamar/Asimow Engineering) Two trials each hand. Best value recorded in KG Force.

b. Curl Test (Use high quality digital force gauge such as that produced by American Therapeutics) Two Trials. Best value recorded in KG Force.

c. Pull Down Test - Two trials. Best value recorded in KG Force.

d. Push with Legs - Two trials. Best value recorded in KG Force.

Dynamic strength

a. Bench Press. Record maximum weight (resistance) candidate can lift into full arm extension for 5 repetitions (record in LBS).

6-2.3 Muscular endurance.

Push-ups (Maximum in 2 minutes)

Sit-ups (Maximum in 2 minutes)

Record average of push-ups and sit-ups as the Muscular Endurance Index.

6-2.4 Power Testing

Vertical jump. Measured from height at maximal standing reach to fingertips with maximal vertical jump. Two Trials. Best value recorded in inches to nearest 1/2".

6-3 Body Composition Assessment (% Body Fat) [See Section 12]

Males: less than or equal to 20%

Females: less than or equal to 25%

6-4 Flexibility Assessment:

Sit and Reach Test - Two trials. Best value without lunging or bouncing that is held for >1 second. Record in inches to the nearest 1/2".

**The Selection of Public Safety Applicants: Procedural
Changes Required by the Americans with Disabilities Act**

Prepared by

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WHAT'S INSIDE:

- * The Conditional Offer and the Qualified Pool
- * The Conditional Job Offer
- * The Conditional Offer and its Sequence in the Selection Process
- * The Qualified Pool
- * Selecting Applicants from the Qualified Pool
- * The Rejection Process
- * The Impact of the Conditional Offer and the Qualified Pool on the Sequence of Selection Procedures

**THE SELECTION OF PUBLIC SAFETY APPLICANTS:
PROCEDURAL CHANGES REQUIRED BY
THE AMERICANS WITH DISABILITIES ACT (ADA)**

Until the E.E.O.C. or legislative history offers clearer guidance, the character review phase of the selection process for public safety applicants - which includes the background, polygraph and psychological should follow a conditional offer of employment. This recommendation is based on an important assumption: that the conditional offer is tied to the use of a qualified pool.

The selection practice of linking a conditional offer to the use of a qualified pool is absolutely necessary to avoid the negative effect on employee quality that a literal implementation of ADA would produce.

Mr. Christopher Bell, a lead attorney for the E.E.O.C., has stated that "it is permissible for an employer to make more offers of employment than it has vacancies, so long as there is integrity to the application and hiring process, i.e., winnowing processes are used to narrow the pool of applicants before offers of employment are made." (Higgenbotham, J.)

Further, the California P.O.S.T. Commission states that:

"Given the unpredictable numbers of applicants who will be screened out by these post-offer selection criteria (e.g., medical examinations, certain background inquiries, and possibly psychological examinations), a hiring agency could not be expected to offer *immediate* placements of all candidates who satisfy these remaining requirements. Instead, the conditional job offer may serve to notify individuals that they have been placed in a pool of qualified applicants, pending successful completion of the remaining selection criteria and the availability of positions in the organization. In addition, it is perfectly acceptable for an employer to disqualify or give a low ranking to an applicant at the post-offer stage due to reasons unrelated to his/her medical or mental condition.

It is imperative that the conditional job offer give candidates a precise, realistic understanding of both the remaining parts of the selections and placement process, as well as estimates on how long it may take to be placed on the job should they meet these remaining eligibility requirements. Legal review of the written conditional job offer is strongly encouraged to ensure that it is in compliance with the ADA, as well as other pertinent local, state and federal laws."

THE CONDITIONAL JOB OFFER AND THE QUALIFIED POOL

THE CONDITIONAL JOB OFFER

All applicants should be informed in the written conditional job offer that after they complete the selection steps they will be: (1) given a final offer of employment and hired; (2) put into a qualified pool from which they will be considered for hire when future positions become available; or (3) rejected for the job in question.

The conditional job offer should also state that those applicants placed into the qualified pool will be considered for employment only as long as the list from which they were selected is still valid. If the list "dies" while they are in the qualified pool they must re-apply and go through the entire selection process.

THE CONDITIONAL JOB OFFER AND ITS SEQUENCE IN THE SELECTION PROCESS

The conditional job offer should follow the written, and agility examinations, and precede the character review process represented by the psychological, polygraph and background. (The only exception to this sequence would be in the two stage procedure in which ADA-sensitive questions or components, e.g. MMPI-2, are held out until the sample of applicants has been pre-screened for job function suitability only, and the most qualified are then given a conditional job offer, and processed through stage two.)

THE QUALIFIED POOL

A selected subgroup of applicants from the larger pool of all applicants who have survived the "winnowing process" (represented by the written, oral, agility, etc.) are given the conditional job offer. This selected subgroup who are given the conditional job offer may be derived by taking the people at the top of the list, the top bands, or some other procedure-consistent method to permit reviewing a larger number of applicants than there are positions available to fill.

After the selected subgroup of applicants has been given the conditional offer, they are processed through the remaining selection procedures. ADA-sensitive questions are permitted at this stage. On the basis of the combined information provided by all steps in the character review (polygraph, psychological, and background) the hiring authority decides which of those applicants will be given a final job offer and hired immediately, which will be put into the qualified pool for later consideration, and which will be rejected for cause.

Note that only those applicants who are not hired immediately or are not rejected are placed in the qualified pool.

SELECTING APPLICANTS FROM THE QUALIFIED POOL

When openings become available, the department must use a procedure to select applicants from the pool that is defensible. As in the initial selection phase, the department's historical pattern of prioritizing applicants is viewed as most defensible. It was clear during discussions with the DOJ and EEOC attorneys that using the qualified pool to avoid hiring a qualified disabled applicant would not be acceptable. However, it was also clear that not hiring "marginal" applicants in the qualified pool is not a violation of the ADA - so long as the "marginal" applicant is not disabled or perceived to be disabled.

REJECTION PROCEDURES

Any applicant who is rejected after a post-offer review has been conducted must be told which part of the process their rejection was based upon. For example, they may have been rejected because of issues raised in only one part (e.g. the psychological), or in a combination of parts (e.g. the background and the psychological). This notification of the part or stage of the process that led to their failure does not require the release of more detailed reasons. For example, an applicant is entitled to know if they failed because of the psychological, but is not entitled to know what test scales were involved in that negative recommendation. Detailed information would only be available if required during approved appeal procedures, or by order of a court.

It must be noted that if an applicant either has or is perceived to have, a disability covered by the ADA, then the report and recommendation must include a discussion of accommodation steps the agency might take to permit the applicant to be a viable candidate for the job. If the psychologist's opinion is that reasonable accommodation efforts would not result in satisfactory performance of essential job functions, or that the applicant poses a clear and immediate threat to others, then a rejection recommendation would be permitted.

If the applicant is recommended for rejection because of personality traits and/or behavior that are inconsistent with essential job functions, but that may be misconstrued by the applicant as a perceived ADA disability, the psychologist would be wise to address this issue in the report and indicate why the applicant is not regarded as disabled under the

ADA. For example, if the applicant has psychological test scores that indicate impulsive and abrasive behavior, and the self-report includes physical confrontation with romantic partners, in night clubs, or on the job, and these events sometimes follow alcohol consumption, it is possible a rejection may be misconstrued as being due to perceived alcoholism (covered by ADA), rather than poor emotional impulse control. It would be wise to note that potential ADA issues tangential to the reason for rejection were considered, but ruled out.

THE IMPACT OF THE CONDITIONAL OFFER AND THE QUALIFIED POOL ON THE SEQUENCE OF SELECTION PROCEDURES

The linkage of the conditional offer and the qualified pool means that a department can continue to use the full psychological, background and polygraph very early in the selection process on a relatively large number of applicants compared to the immediately available positions. The ratio of applicants processed after the conditional job offer to immediately available positions is typically two to four times, but the department's historical pattern is the most defensible path.

After management reviews the combined information from Psychological, background and polygraph sources, it may proceed to hire or place in the qualified pool the most qualified applicants. This selection of the most qualified from the larger group of applicants should follow the department's historical practice for making such decisions, e.g. eligibility list position, affirmative action goals, etc.

This procedure of a conditional job offer, early psychological screening of larger numbers of applicants, and use of the qualified pool, would maintain the focus on quality in public safety selection, and comply with the constraints of the ADA.



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POLICE DEPARTMENT

CONDITIONAL OFFER OF EMPLOYMENT

NAME

This offer of employment is conditional upon your successfully completing the following steps and meeting the established standards for the position of police officer. These standards are contained in applicable federal and state statutes and the City of San Jose's administrative regulations. The steps to be completed are as follows:

- A background investigation conducted according to guidelines established by the City of San Jose for its Police Department employees. This background investigation will include a polygraph exam.
- A psychological screening to determine job suitability conducted and interpreted by a licensed psychologist.
- A comprehensive medical examination conducted by a licensed physician retained by the City of San Jose for this purpose, to be administered according to guidelines established by the City of San Jose for its Police Department employees.

Any significant discrepancies in the information you give during any of the steps above can be the basis for your removal from the eligibility list.

If you successfully complete the above requirements you may receive a final offer of employment and be hired immediately, or you may be placed in a pool of qualified applicants for future hire as vacancies occur. The qualified pool will be used for hiring until the eligibility list from which it was created expires.

THIS IS NOT ANY OFFER OF IMMEDIATE EMPLOYMENT. DO NOT GIVE NOTICE, QUIT YOUR PRESENT JOB, OR RELOCATE TO THE SAN JOSE AREA.

I have read and fully understand the nature of this conditional offer of employment.

Signature

Date

Witness Signature

Date