



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



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SUBJECT: PROMOTIONAL STANDARDS

1.0 PURPOSE

The purpose of this policy is to establish fair and consistent promotional standards for DPS commissioned personnel seeking promotion to the ranks of sergeant, lieutenant, and captain.

2.0 POLICY

It is the policy of DPS to prepare its employees for advancement within the criteria and necessary requirements for advancement. This includes qualifications for consideration and other expectations required for promotion. The Chief of the State Police has the role of designating a bureau/division of his/her choosing with the task of organizing and administering all promotional testing for commissioned personnel. All promotions in the New Mexico State Police to the rank of sergeant shall be made after written examinations. All promotions above the rank of sergeant shall be made by the chief after concurrence and approval by the secretary. The ranks of sergeant, lieutenant and captain shall be permanent unless established as an exempt rank by the chief with concurrence of the secretary, and those persons shall serve at the pleasure of the chief with the concurrence of the secretary per NMSA 29-2-10.

3.0 APPLICABILITY

This policy applies to all DPS Commissioned State Police Personnel.

4.0 REFERENCES

- A. CHAPTER 29, ARTICLE 2, 1978 Annotated, State Police**
- B. New Mexico Department of Public Safety Training Center Reference Guide, Fifth Edition**
- C. NMAC 10.5.200.8 – Personnel**

5.0 DEFINITIONS

- A. Assessment Center** – May consist of, but not be limited to, exercises such as table-top, in-basket, role-play scenarios, written exercises, personnel issue exercises, other relevant exercises, and oral interviews. These exercises and interview processes measure candidates' problem-solving, decision-making, general skills, knowledge, and other abilities related to supervisory position responsibilities.
- B. Cabinet Secretary** – Secretary of the Department of Public Safety.
- C. DPS** – Department of Public Safety.
- D. Eligibility** – A candidate for promotion to sergeant, lieutenant, captain, and above must meet the criteria associated with that level of promotion. This information is outlined in the section of this policy specific to that particular level of promotion.
- E. Evaluations** – The last two (2) **annual** evaluations prepared by the employee's immediate supervisor. The evaluations must cover the two (2) full years prior to his/her last anniversary date. **Example: Last anniversary date is January 15, 2016,**

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the submitted evaluations must cover January 2014 to January 2015 and January 2015 to January 2016.

1. For the sergeant's exam, the average of the last two (2) annual evaluations will be considered. The date of the written exam will be used for the purpose of determining a cut-off date for the last two (2) evaluations. Evaluations must be submitted prior to or no later than the day of the candidate's scheduled assessment center.
 2. For the lieutenant's exam, the average of the last two (2) annual evaluations will be considered. The commencement date of the assessment center will be used for the purpose of determining a cut-off date for the last two (2) evaluations. Evaluations must be submitted prior to or no later than the day of the candidate's scheduled assessment center.
- F. One-half** – Any fraction of a number greater than one half (1/2) will be rounded up to the nearest whole number, for use in advancement to the Assessment Center.
- G. Method of Three** – Method by which the Chief can promote any of the running top three (3) candidates on the final sergeant's list.
- H. Promotional Process Director** – The Chief's designee who manages the creation and administration of each phase of the promotional process.
- I. Test Administrator** – The Promotional Process Director's designee who manages the creation and administration of specific portions of the promotional process.

6.0 PROCEDURE

- A.** The Chief, or the Promotional Process Director, has the authority and responsibility for administering the agency's role in the promotional process for commissioned personnel.
- B.** The Promotional Process Director will select a Test Administrator(s) to organize and create the written examination and assessment center. The Test Administrator(s) will select exam proctors and assessors to participate in each portion of the process. Proctors and assessors will be required to agree to and sign a confidentiality agreement. The agreement will state the importance of not disclosing any portion of the process, to include written exam questions and answers, assessment center scenarios, scoring standards, identity of competitors, performance of competitors, and results of the test.
- C.** All written examinations, if applicable, will be administered each year in the month of May, unless otherwise prescribed by the Chief.
- D.** The Department will provide candidates with a written announcement of all forthcoming promotional processes. Such announcements will precede the actual promotional process and will include at a minimum, the following information:
1. A schedule of dates, times, and locations of all phases of the process;
 2. A description of eligibility requirements, if different than stated in the promotional standards policy;
 3. A description of the process to be used in selecting personnel for the vacancies, if different than stated in the promotional standards policy.
- E.** Candidates must meet eligibility requirements listed per each rank. Prior to the testing process or promotion the following criteria must be complied with:

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1. Any candidate for promotion who has served a suspension of greater than forty (40) work hours within one (1) year preceding the commencement date of the promotional process will not be eligible to participate in the promotional process unless the employee's discipline is pending appeal, in which case the facts and circumstances that formed the basis for the discipline will be considered. The weight to be given to these circumstances will be at the sole discretion of the Chief.
 2. Any candidate who has been placed on the final promotional list and who is informed that he/she is the target of an administrative investigation may, at the discretion of the Chief, not be eligible for promotion until the final determination of that administrative investigation is complete. The following will apply in this circumstance:
 - a. The candidate will remain on the list in the numerical order in which he/she was placed. The candidate will be placed in an "inactive status" until a final determination of the administrative investigation is made by the Chief
 - b. The Chief has the authority to promote candidates from the final list who rank below a candidate that is in an "inactive status," after considering the basis for which the employee was placed on administrative investigation. The weight to be given to these circumstances will be at the sole discretion of the Chief.
 - c. If the candidate receives a suspension of greater than forty (40) work hours as a result of the administrative investigation, the candidate will be removed from the final list.
 - d. If the administrative investigation results in no disciplinary action or disciplinary action less than a suspension of forty (40) work hours, the candidate will become "active" on the list and be eligible for promotion. If the candidate was passed over while on "inactive status," the candidate will be placed at the top of the list.
 3. Reinstated officers wishing to participate in a promotional process must meet the requirements described in Department policy *PRS: 01 State Police Reinstatement* prior to participation.
 4. All documentation used or created for the purpose of conducting a promotional process will be stored by the Standards Bureau in a secure location.
- F.** The Chief, or the Promotional Process Director, will ensure that promotional processes evaluate candidates utilizing criteria that are job-related and non-discriminatory. The promotional process uses various techniques to measure, at a minimum, the following job-related skill dimensions, which are necessary for supervisory positions.

The assessment center uses multiple assessors in an assessment. Assessment centers use techniques designed to elicit information which is used to evaluate the dimensions, attributes, or qualities previously determined as the criteria. The assessment center exercises will have been pre-tested prior to use to ensure that the techniques provide reliable, objective, and relevant information. All exercises will be job related and non-discriminatory. All judgments regarding a candidate's performance in the assessment center are based on observations made by assessors during the performance. These observations shall be gathered by assessors and documented on provided forms. The documented information will be collected in order to determine final scores. The Promotional Process Director, upon request, will

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provide the candidate with information regarding the dimensions, ratings, and recommendations of the assessors.

Ratings and recommendations will be made based in part on the following:

1. **Oral Communication:** Effectiveness of expression in individual and group situations (including gestures and non-verbal communication.)
 2. **Written Communication:** Effectiveness of expression in writing.
 3. **Interpersonal Skills and Insight:** Perceiving and reacting to the needs of others. Objectivity in perceiving impact of self on others.
 4. **Problem Solving/Analysis:** Skill in identifying problems, ascertaining relevant information, and identifying possible causes of problems.
 5. **Judgment:** Ability to develop alternative solutions to problems, to evaluate courses of action, and to reach logical and practical decisions.
 6. **Decisiveness:** Readiness to make decisions, render judgment, take action, or commit oneself.
 7. **Planning and Organization:** Ability to efficiently establish an appropriate course of action for self or others to accomplish a specific goal, make proper assignments of personnel, and exercise appropriate use of resources.
 8. **Delegation:** Effective use of subordinates to accomplish assignments and tasks, and establishing procedures for monitoring and regulating activities of subordinates.
- G.** Candidates will be provided results of each phase of the promotional process at the completion of each testing phase. Candidate reviews, appeals, objections, or questions regarding any portion of the promotional process shall be directed in writing to the Test Administrator of that phase, within forty-eight (48) hours of the issuance of scores for that portion of the process.
- H.** The Test Administrator will respond to the candidate within seventy-two (72) hours of receipt of written questions or objections. When the designated bureau/division responds, candidates may appeal to the Promotional Process Director within twenty-four (24) hours of the Test Administrator's response. The Promotional Process Director will respond to the candidate within twenty-four (24) hours with a final decision.
- I.** All officers competing for promotion will do so with a clear understanding that promotions made from the final promotional list will be made to locations and assignments that suit the needs of the State Police.
- J.** The Chief or designee will contact each candidate prior to promotion via telephone or in person to discuss with the applicant the promotion.
- K.** All promotional materials shall be securely maintained to uphold the confidentiality of the process.
- L.** The Department does not allow candidates to reapply for participation in the current promotional process. The candidate will again become eligible for participation for the next process.
- M.** Any newly promoted sergeant, lieutenant, or captain shall be required to complete a probationary period of one (1) year from the date of promotion. This probationary period may be extended at the discretion of the Chief.

N. Promotion to Sergeant: Made after the completion of a promotional process.

1. Eligibility

In order to be considered for promotion to sergeant, a candidate must have a minimum of five (5) years of satisfactory service as a certified and commissioned officer with DPS and have complied with Job Specifications requirements. The date for eligibility cut-off will be the date of the written exam. Candidates seeking a position in the CVE Bureau will be required to complete NAS parts A & B and any additional required training within a timeframe determined by the CVE Bureau Commander.

2. Testing Procedure

- a. Written examination will carry a weight of twenty (20) percent. The procedure for administering the written examination is as follows:
 - i. The test administrator creates and administers all written tests for the position of sergeant.
 - ii. The written examination will be validated by officers currently holding the rank of sergeant, the EEO officer and/or the Office of Legal Affairs.
 - iii. All written tests administered are job-related to the supervisory position and comprised of content pertaining to the description in the testing announcement.
 - iv. All candidates testing for the same position will receive the same test at the same time, unless they receive an exception due to special circumstances.
 - v. Notice of written test date and location will be sent to all candidates.
 - vi. Candidates will take the written exam as per the directions provided by the examination proctor. The proctor will provide each candidate with a copy of the written examination and score sheet. Once completed, the candidate will return the written examination and score sheet to the proctor prior to being dismissed from the testing facility. No other materials may be removed from the testing facility unless authorized by the examination proctor.
 - vii. The test administrator shall compile and grade all score sheets from the written test.
 - viii. The Chief will be notified of the written exam scores.
 - ix. All candidates who participated in the examination will be notified of their scores. The top 30 candidates with a written exam score of 70% or greater will proceed to the assessment center. All candidates at the cut-off percentage that have a tie score will move on to the assessment center. Example: If the 30th highest score is 72%, all candidates tied at 72% will move on to the assessment center
 - x. The test administrator shall compile a list of candidates who are eligible to participate in the assessment center phase of the process. This list will be provided to the candidates.
 - xi. Any questions on the written examination which are reviewed at the request of a candidate and are found to be invalid by the Test Administrator will be

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removed from the examination. The exams will be re-scored based on the remaining exam questions and the new results for each candidate will be provided. Points will only be awarded for correct answers on the remaining questions. Candidates will not receive credit for any of the removed questions that may have been correctly answered.

- b. The two annual evaluations will be scored and that score will be divided by two (2) for the overall average score. The scoring is as follows: a full twenty (20) percentage points for a rating of "Meets Performance Standards" or better in each Average of Task category. Two (2) percentage points will be subtracted for each Average of Task category rated as "Needs Improvement" and three (3) percentage points will be subtracted for each Average of Task category rated as "Unacceptable."
- c. Seniority (the number of years of satisfactory service as a patrolman/agent) will carry a weight of twenty (20) percent. Seniority is calculated by providing each candidate fifteen (15) percentage points for the first five (5) years of satisfactory service plus one-half ($\frac{1}{2}$) percentage point for each year thereafter, for a maximum of twenty (20) percentage points for fifteen (15) years of service. The date of the written examination will be the date of seniority cut-off. Only years completed by the date on which the first phase of the promotional process is scheduled to be administered will count toward seniority. (Months will not be included.)
- d. The assessment center will carry a weight of forty (40) percent.
 - i. The Chief, or the Promotional Process Director, is responsible for organizing and administering the promotional process/assessment center.
 - ii. Chosen assessors will meet and develop the assessment techniques to be used in the promotional process. Assessors will assure the use of multiple assessment techniques, which demonstrate job-relatedness by pre-testing to ensure objective, non-discriminatory relevant information for the position.
 - iii. Current supervisors shall be used during the final developmental phase of the assessment to validate the job-relatedness.
 - iv. The assessors will document all observations and scores.
 - v. All final judgments will be based on calculated results from assessors.
 - vi. The Chief will be notified of the assessment center scores.
 - vii. All candidates who participate in the assessment center will be notified of their scores.
- e. Candidates will receive one (1) bonus point for sixty (60) college credit hours or an Associate's Degree; two (2) points for a Bachelor's Degree; and three (3) points for a Masters Degree from an accredited organization recognized by the Council for Higher Education. These bonus points will be added to a candidate's final score after the assessment center is complete. All school transcripts or a copy of the degree must be provided **prior to or no later than** the day of his/her assessment center.
- f. Test Administrator shall ensure prior to the test date that all candidates are eligible to participate in the testing process.
- g. Candidates participating in any promotional process are **strictly prohibited** from bringing cell phones or any other recording device into the process. In the event a candidate is found to have one of these prohibited devices in their

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possession during the promotional process, the candidate may receive sanctions such as disqualification from the process.

3. Summary for Sergeant Promotion

The criteria and weights for the Sergeant Promotional Process are: Written Examination - twenty (20) percent, Evaluation – twenty (20) percent, Seniority – twenty (20) percent, and Assessment Center – forty (40) percent.

- a. **Candidate** - Eligible candidates will take a written examination at a time and location designated by the Chief or the Chief's designee. The candidate is also responsible for obtaining and submitting his/her last two annual evaluations **prior to or no later than** the day of his/her assessment center.
- b. **State Police Chief or the Chief's designee**- Will assign monitors for each testing location. These monitors will score the test in their assigned areas, post the scores, and forward the scores to the test administrator.
- c. **Test Administrator** - Will establish a list of written examination scores. The top 30 candidates with a score of 70% or greater will move on to the assessment center phase. All candidates at the cut-off percentage that have a tie score will move on to the assessment center. Example: If the 30th highest score is 72%, all candidates tied at 72% will move on to the assessment center.
- d. **Test Administrator** - Will tabulate evaluation and seniority scores.
- e. **Promotional Process Director** - Will assign personnel to evaluate candidate's performance in the assessment center.
- f. **Test Administrator** - Will combine all scores and establish a ranking list, which will comprise the Final Promotional List when it is forwarded to the chief. The final list will include the overall top candidates in ranking order by final score, but will not exceed twenty (20).
- g. **State Police Chief** - Will promote from the Final Sergeant's Promotional List, applying the Method of Three (3) at his/her discretion. However, a candidate will not be passed over more than twice, unless said candidate has received disciplinary action resulting in suspension of greater than forty (40) work hours while on the Final Promotion List.
- h. The Sergeant's Promotional List will be effective until the date of the next Sergeant's written examination.
- i. If an officer declines a promotion to the rank of sergeant twice, the Chief may use his/her discretion whether to offer any further sergeant positions to the officer for the duration of the promotional list.
- j. If there is a conflict with any out-of-state assignments, the Department will make a reasonable effort to accommodate the prospective candidate for promotional testing.

O. Promotion to Lieutenant: The Chief has the discretion to appoint the rank of lieutenant **or** commence a promotional process. A promotional process may consist of, but not limited to; a written exam, an assessment center, or an exclusive interview process may be administered through the bureau advertising an available lieutenant's position, as approved by the Chief. Upon promotion to the rank of Lieutenant, an officer will no longer be eligible to remain a member of or become a member of any department specialty team.

1. Eligibility

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In order to be considered for promotion to lieutenant, candidates must have completed two (2) years of satisfactory service at the rank of sergeant and five hundred (500) cumulative hours of advanced training, to include forty (40) hours of a DPS accredited First Line Supervisor course, plus First-Line Supervisor certification from the New Mexico Law Enforcement Academy. First-Line Supervisor certification criteria and guidelines can be located on the Department of Public Safety Law Enforcement Academy website. Candidates are required to show proof of required advanced training requirements. In order to participate in the promotional process, the candidate must provide proof of the required advanced training requirements. Candidates seeking a position in the CVE Bureau do not have to be certified in NAS parts A & B in order to participate in the promotional process, however once promoted, he/she must complete the necessary CVE training in a timeframe as determined by the CVE Bureau Commander.

2. Criteria

- a. When a written test and/or an assessment center is used for a lieutenant's promotional process, it will be conducted using the same procedures and scoring as the sergeant's promotional process.
- b. Candidates will receive one (1) bonus point for sixty (60) college credit hours or an Associate's Degree; two (2) points for a Bachelor's Degree; and three (3) points for a Master's Degree from an accredited organization recognized by the Council on Higher Education. These bonus points will be added to a candidate's final score after the assessment center is complete.
- c. If there is a conflict with any out-of-state assignments, the Department will make a reasonable effort to accommodate the prospective candidate for promotional testing.

P. Promotion to Captain: All promotions made to the rank of captain are at the discretion of the Chief from eligible personnel, after the concurrence and approval of the DPS Cabinet Secretary. Although there is currently no formal promotional process for the rank of captain, this does not preclude the Chief from commencing a process at his/her discretion.

1. Criteria

- a. In order to be considered for promotion to captain, candidates will be required to have sixty (60) college credit hours from an accredited organization recognized by the Council on Higher Education.
- b. Candidates will also be required to meet the following criteria: two (2) years of satisfactory service at the rank of lieutenant; compliance with Job Specifications requirements; seven hundred (700) cumulative hours of advanced training, to include one hundred (100) hours of supervisory management training and/or formal education; and Command certification from the New Mexico Law Enforcement Academy. Advanced certification criteria and guidelines can be located on the Department of Public Safety Law Enforcement Academy website. If candidates are in good standing, the certification fee will be paid by the Department.
- c. Candidates are expected to continue their education in an effort to improve their ability. Candidates must show proof of required advanced training requirements upon the Chief's request.

Q. Promotion to Major and above: Promotions to major or above, excluding the rank of Chief are exempt promotions. Exempt promotions are made at the discretion of the Chief after concurrence and approval by the Secretary. In order to be considered for

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promotion to the rank of major or above, candidates will be required to have sixty (60) college credit hours from an accredited organization recognized by the Council on Higher Education.

R. Cabinet Secretary – Ratifies all promotions above the rank of sergeant as submitted by the Chief.

S. Storage and Retention of Information/Records

1. The following information and documentation gathered and/or generated during the processes will be submitted to Standards Bureau, stored in digital format, and maintained for a period of four (4) years.
2. Documents that may be provided or completed by the employee include, but are not limited to:
 - a. Résumés
 - b. Employee evaluations
 - c. College Transcripts/Degrees
 - d. Training Certificates
 - e. Questionnaires/Surveys
 - f. Commander/supervisor recommendations
3. Documents that may be created by the personnel conducting the process include, but are not limited to:
 - a. Written Exams
 - b. Assessment Center Scenarios
 - c. Oral Interview questions
 - d. Scoring Sheets
 - e. Candidate Evaluation forms
 - f. Final Ranking lists
 - g. Assessor notes
4. The documentation will be stored in a secure file that will only be accessible to the Standards Bureau Commander, Deputy Chief, and the Chief.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: S/ Mark R. Shea DATE: April 1, 2019
DPS Cabinet Secretary