

	<b>GENERAL ORDER</b>	<b>Effective: 08-30-2022</b>	<b># 04-09</b>
	<b>Section: Personnel</b>	<b>Replaces or Modifies: New Policy</b>	
	<b>Title:</b>	<b>Transfer of Sworn Personnel</b>	
<b>Issued by:</b>		<b>Chief Deputy Mattie Provost</b>	

**I. Purpose:**

It is the policy of the Fort Bend County Sheriff’s Office (FBCSO) to provide personnel with the opportunity for growth and development and to assign personnel as needed for achievement of the Sheriff’s Office mission.

**II. Policy Statement:**

The Sheriff’s Office shall provide transfer opportunities to its employees. Transfers have a general purpose of contributing toward the professionalism of the Sheriff’s Office in providing best police practices for the communities we serve. Transfer opportunities also provide FBCSO employees with opportunities for career development and options for enhancing their professional experiences.

All sworn FBCSO employees, with the exception of lieutenants and above, will have an opportunity in January of each year to submit to the Sheriff’s Office Human Resources section up to two (2) transfer requests. The requests will be submitted on one form for assignments that the employee would like to seek if a position becomes available throughout the year of application. Positions may become available due to resignation, retirement, promotion, demotion, approved new position, or transfer.

Only the Sheriff, or his designee, may approve any exception to this transfer policy.

**III. Definitions:**

**Classified employee** – An employee who holds a commission for Tele communications Officer, Detention Deputy, or Enforcement Deputy. Classified employees are also “sworn” employees due to the oath of office they have taken and the position which they hold.

**Special assignment** – A mutually beneficial agreement between two (2) captains for a period of up to 30-days where a deputy or sergeant is provided an opportunity to obtain professional developmental experience, or to enable a division to obtain the assistance of an employee with special skills needed by the division for a specific purpose, event, or incident. The Chief Deputy has the authority to assign personnel on special assignment based upon the needs of the Sheriff’s Office. Captains who seek a special transfer for an employee with special skills must have the special assignment approved by the Chief Deputy, or Chief Deputy’s designee.

**Special division** – The Special Investigations Division is comprised of the following units: Narcotics, Internet Crimes Against Children, Auto Theft, and Gangs. These are considered specialized units and transfer to this division is accomplished through submission of resume and successful panel

interview. The Chief Deputy approves the selection of personnel to the Special Investigation Division upon request by the Major over the Investigations Command.

**IV. Details and Procedures:**

- A. Every sworn (classified) employee of the Sheriff's Office may submit a transfer requests to two (2) of the following divisions:
  - 1. Patrol (including Crime Reduction Unit, SWAT, and Municipal Utility District (MUD) contracts; Air Support; Livestock Unit; K-9; and Honor Guard)
  - 2. Detention (including Court Security (bailiffs))
  - 3. Training (Gus George Law Enforcement Academy)
  - 4. Regulatory Affairs (Records)
  - 5. Support Services (including Dispatch)
- B. After the initial submission of transfer applications, new transfer requests may be submitted beginning January 1<sup>st</sup> of each subsequent year. The transfer lists shall be active for the entire year, until December 31<sup>st</sup> of the application year. When a transfer list is exhausted, an announcement will be made to all FBCSO sworn personnel, that the division is accepting transfer requests.

**Selection of Personnel**

- C. In Section V. of **General Order 04-01, Hiring, Promotion, and Other Placements**, procedures are listed for the filling of vacancies for TCO (2., p. 2), Civilian Detention Officer and Deputy (including Detention Deputy) (3; 4, p. 2).
- D. This policy does not replace **G.O. 04-01**, but expands upon the transfer opportunities for deputies and sergeants.
- E. Transfers for the divisions listed in 1. – 5., above, will be filled after a review of the transfer list by the captain of the division. The captain shall identify a diverse panel of three (3) supervisors (sergeants and above) to interview the applicants. The procedures below will guide the selection process:
  - 1. Job or assignment-relevant questions will be developed upon which to assess the applicants. The interview questions will be approved by the division captain.
  - 2. Captains will review the candidate list and ensure that the applicants meet the minimum qualifications in terms of time in service, complaint or disciplinary history, and minimum qualifications.
  - 3. Candidates will be notified of interview times and locations.
  - 4. Interview panels will provide each candidate an equal opportunity to compete for the positions. After the interviews are completed, candidates will be placed in groups of employees who are Most Ready, Ready, and Not Ready. The definitions of these categories are:

- a. **Most Ready** – Candidates who exhibit most or all of the qualifications related to the job or assignment. A Most Ready candidate will meet or exceed any special considerations needed for the position and may, but are not required to, include educational accomplishment, training, prior experiences and assignments, special skills, including language skills, and other job-relevant behaviors.
  - b. **Ready** – Candidates who exhibit the qualifications needed to perform more than half of the job requirements. The Ready candidate meets minimum job qualifications, but may lack one or more of the basic necessities for the job. The Ready candidate exhibits the ability to perform basic aspects of the job, but would require additional specialized training to better perform the job.
  - c. **Not Ready** - Candidates who do not exhibit the qualifications to perform minimal job expectations. The Not Ready candidate would lack combinations of more than two (2) of the following: education and training; prior assignments, including a rotation assignment in a division or special unit; advanced certification; investigator training; minimum years of service; below average job performance evaluation; complaint history involving same or similar violations; non-supervisory approval; and history of excessive or unexcused absences.
5. Upon completion of the interviews, candidates who are not on the Ready or Most Ready lists will be notified of means to improve their qualifications to compete more successfully in future transfer requests. Candidates may be informed of expected responses to any of the interview questions. Additional training or a special transfer assignment may also be recommended for improvement. Special transfer assignments are discussed below.
  6. Captains will make the transfer recommendations to the Chief Deputy for final approval and referral to the HR Section for selection of the effective date of transfer. HR will produce an Employee Action Form (EAF) for each approved transfer.
  7. While the purpose of this policy is to ensure that all sworn personnel have an equal opportunity to compete for assignments, there is an executive prerogative of the Sheriff to effect transfers for the best interests of the Sheriff's Office. If a transfer is made due to unique or extraordinary qualifications possessed by a transferee that contribute to the best interests of the Sheriff's Office, personnel on a transfer list to this assignment will be informed.
  8. Employees who elect to grieve "Intra-Office Transfers" will follow the Rules and Regulations of the Fort Bend County Civil Service Commission, **Chapter 6.02**. In relevant part, this section states, "transfer assignments shall be based on need, as well as considerations of diversity, liability, special skills, and to promote harmony within the Office." Employees who feel that the transfer process was capricious or malicious may file a grievance.
- F. Employees who hold a tele-communicators or a detention officer – civilian position may apply for a deputy position. The employee would undergo a modified background investigation to be weighed for an employment decision. This is not considered a transfer under this policy, but a new hire procedure.

## **New Employees**

- A. Effective on the date this policy is approved, all new employees hired as deputies will be assigned

to the Enforcement Division for training.

- B. Upon completion of the field training program, deputies will complete their probationary year on patrol.
- C. After the completion of the probationary year, deputies may be transferred to Detention for up to two (2) years.
- C. Upon completion of the 2-year assignment, deputies may submit transfer requests up to two (2) divisions.
- D. Detention deputies may elect to pursue a career ladder within the Detention division.
- E. New employees who possess at least one year of patrol experience with another law enforcement agency may be hired directly into a vacant detention deputy or patrol deputy position.

The procedures in **IV. A. – E.** shall be followed for new transfer opportunities.

### **Sergeant Transfers**

- A. Newly appointed sergeants must complete the New Supervisor's Course, TCOLE Course 3737, within a year of promotion. This is a 40-hour course required by the Texas Commission on Law Enforcement.
- B. Upon promotion, new sergeants will be required to successfully complete the patrol Field Training Course for Sergeants.
- C. Sergeants will be assigned to an Enforcement Field Training Sergeant for a period of between 8 weeks and 16 weeks, depending upon job knowledge and performance of supervisory tasks.
- D. Upon successful completion of the training course, a supervisor will remain in the Enforcement assignment for one (1) year. Sergeants may then be transferred to Detention for a specified time period of up to one (1) year.
- E. Sergeants are also eligible to submit up to two (2) transfer requests each year and are also provided transfers to enhance professional development and to gain supervisory experience.

### **Involuntary Transfers**

- A. Employees may be transferred to an assignment for the good of the Sheriff's Office, to provide opportunities for growth and professional development, or when necessary to accomplish a specific organizational goal or objective.
- B. The Sheriff, or his designee, will notify an employee who is subject to an involuntary transfer. Involuntary transfers will be made to achieve a specific goal or objective. With approval of the Chief Deputy, when a specific goal or objective is achieved, an employee may request a transfer to another division.

## **Special Assignments**

- A. Special assignments are considered special transfers and require the approval of the Chief Deputy.
- B. Special assignments enable a division to seek assistance from personnel with specialized skills for a period of up to 30 days. An example of a special assignment is a situation whereby a deputy with language skills, perhaps fluency in Arabic, may be needed to assist CID with interview of victims or witnesses, interrogation of particular suspects, and assistance with other aspects of active violent crime investigations.
- C. Special assignments may also be made for a deputy or sergeant's professional development.
- D. Special assignments may be related to an agreement of two captains for the mutual benefit of their divisions, but must have the approval of the Chief Deputy, or Chief Deputy's designee.
- E. Any extension of a special transfer assignment requires approval of the Chief Deputy.

## **Investigator Position Announcements**

- A. Announcements for Special Investigations Division, Criminal Investigations Division, and Internal Affairs are provided to investigators through a published vacancy announcement. The announcement will include the following criteria:
  - 1. Division or unit in which the vacancy exists
  - 2. Required or minimum skills, education, and experience that are relevant to the position
  - 3. Notice that recommendations from current or previous supervisors will be requested
  - 4. Notice that past performance evaluations will be considered
  - 5. Notice that complaint and disciplinary history will be reviewed and considered
  - 6. Name and contact information for whom the applicants may contact for additional information
- B. The selection process for investigators will be by panel interview and approval by the captain and based upon the needs of the division. The selection process should follow the guidelines of E. 1. – 8. Selection of Personnel, above (p. 2-3). The selected investigator must have the approval of the Chief Deputy for the transfer.
- C. Personnel selected for Special Investigations, Criminal Investigations, and Internal Affairs will be periodically evaluated to ensure employees meet minimum qualifications and performance metrics for the investigator assignments

## **Investigator Positions**

- A. Investigators employed by the Fort Bend County Sheriff's Office are generally assigned to the Criminal Investigations Division, Special Investigations Division, or Internal Affairs Unit.
- B. Investigator transfers within the division are made by the division captain based upon the needs of

the division. These transfers are considered “intra divisional transfers.” Intra divisional transfers are made by the captain of the concerned division based upon the needs of the division and the qualifications of the investigator. The intra divisional transfer will be approved by the Major of Investigations Command.

- C. Investigator transfers from one division to another division are made only upon approval of the Chief Deputy after the investigator position is announced and a competitive process is completed. These announcements must meet the requirements of A. 1. – 6. above (p. 5). The selection process is detailed in E. 1. – 8. above (p. 2-3).
- D. Employees hired for the position of Investigator may be assigned to any of the investigative divisions or unit with the approval of the Chief Deputy.

**Related Policies**

G.O. 04-01 Hiring, Promotion, and Other Placements