



CITY OF NEWPORT NEWS PERSONNEL ADMINISTRATIVE MANUAL

Effective Date: 09/01/07

SECTION 1407	SUBJECT SPECIAL CONSERVATOR OF THE PEACE
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I. General

Regular full time employees in a non-sworn status whose jobs require preserving the peace and enforcing City code or state laws will be required to obtain and maintain appointment as a Special Conservator of the Peace (SCOP). Virginia State Code establishes the method of appointment for Conservators and grants them powers of arrest equivalent to that of a Police Officer. The Department of Criminal Justice Services (DCJS) is the state agency responsible for the preparation and implementation of the SCOP regulatory program.

Employees appointed SCOP are responsible for providing services in a professional and ethical manner and for maintaining administrative requirements and standards as determined by State Code, DCJS guidelines and the Virginia Administrative Code of Regulations relating to special SCOP.

Department heads shall obtain written approval from the City Manager, prior to initiating the registration process, to require SCOP designation for any position not approved for SCOP designation as of the effective date of this policy.

The Newport News Police Department (NNPD) will be responsible for coordinating the Conservator registration process with DCJS for all City departments. The NNPD will forward required DCJS forms to department head and provide guidance on DCJS regulations and the City's Conservator appointment process upon request to initiate a registration process.

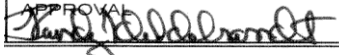
II. Eligibility Requirements

- A. United States citizenship or legal resident alien
- B. Minimum age of 18
- C. Successful completion of all training, including firearms qualification, if applicable
- D. Negative drug and alcohol tests
- E. Successful completion of background investigation conducted by the NNPD and DCJS including criminal history records checks
- F. Regular full time employment status, unless waived by the City Manager

III. Pre-employment Processing Requirements

The Department of Human Resources (HR) will extend conditional job offers to applicants or employees selected for positions requiring appointment as a SCOP. The conditional job offer will require the successful completion of the following requirements.

- A. Criminal History Records Check by the NNPD

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- B. Controlled Substances and Alcohol Testing by an agency approved by DCJS. The NNPD will coordinate the payment of fees to the agency that conducts the testing. The agency conducting the tests will report screening results directly to DCJS. DCJS will notify the individual by letter regarding failed test results and the individual is responsible for notifying the NNPD.

A criminal history records check, controlled substances test and alcohol test will also be required every four (4) years when DCJS requires Conservators to complete another full registration process.

An applicant who has a disqualifying criminal record or who tests positive on the controlled substances or alcohol test will not be hired. Any employee who has a disqualifying criminal record or who tests positive may face disciplinary action under City policy, including termination. Employees may also be subject to a reasonable suspicion controlled substances or alcohol test in accordance with Section 1205, Substance Abuse Policy and Procedure.

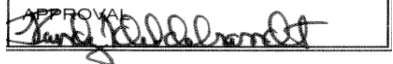
IV. Post-Employment Processing Requirements

Individuals who successfully complete the criminal history records check and controlled substances and alcohol tests will be cleared to begin work in a position requiring SCOP designation. Individuals will be required to complete additional DCJS requirements prior to becoming eligible for appointment as a SCOP. The appointment process will require the successful completion of the following requirements.

A. Fingerprint Processing

Departments will direct employees to carry a completed Fingerprint Processing Application, an Initial DCJS Registration Application, and a Certificate of Self Insurance to the NNPD for legal verification and review. Employees must present legal documentation to the NNPD verifying U.S. citizenship or legal resident alien status. Legal documentation includes driver's license, social security card, birth certificate, unexpired U.S. passport and/or resident alien card.

Following the legal verification and application review process, the NNPD will obtain two sets of fingerprints from the employee on fingerprint cards provided by DCJS and obtain a Private Security Criminal History Supplemental Form, if applicable. The NNPD will be responsible for submitting the applications and fingerprint cards to DCJS. Should fingerprints be returned as unclassifiable, new fingerprints will be taken and returned to DCJS along with the unclassifiable fingerprints to avoid a fee for rejected fingerprints.

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B. Training Requirements

The NNPD will schedule employees for required training with the City's certified training school provider and coordinate the payment of fees. Departments are responsible for ensuring that employees complete all required training.

Employees must meet the mandated compulsory minimum training standards established by DCJS. Proof of training is not required to be submitted with the registration application. Upon completion of training, the training school will provide a roster of individuals who completed the training directly to DCJS. A photo of each individual will also be taken by the training school and provided to DCJS for individual's photo identification card. The minimum training hour requirements by category, excluding examinations, practical exercises and range qualification, shall be:

1. Entry Level Training
 - Unarmed positions will require 24 hours
 - Armed positions will require 40 hours
2. Annual Training
 - Unarmed positions will require 8 hours
 - Armed positions will require 8 hours in addition to firearms requalification

C. Firearms Qualifications

1. Employees who carry or have access to a firearm while on duty must have a valid registration with firearms verification.
2. Employees must have valid concealed handgun permit, if applicable.
3. Employees have no authority to carry a concealed handgun while on duty unless they have a valid concealed handgun permit and written permission from the City Manager.
4. The court may limit or prohibit the carrying of handguns.

D. Certificate of Self Insurance

The Office of Self Insurance will be responsible for preparing documentation verifying that employees have a certificate of self insurance reflecting DCJS as a certificate holder, showing a minimum coverage of \$10,000 issued by an insurance company authorized to do business in Virginia.

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Departments will obtain a certificate of self-insurance from the Office of Self Insurance for each employee to take to the NNPD during the initial application and fingerprinting process. The NNPD will be responsible for submitting this information to DCJS.

E. Non-refundable Fees

DCJS requires receipt of all fees prior to initiating the registration process.

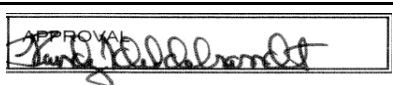
The NNPD is responsible for processing all required fees through the Department of Finance. The NNPD will submit all required completed application forms, fingerprint cards and applicable fees to DCJS. The funding source for all applicable fees is the employee's department operating budget.

V. Temporary Registration Letter

- A. Following receipt and approval of all post-employment processing requirements referenced in IV, A-E, DCJS will mail a temporary registration letter to the NNPD. The letter will state that the employee has met all requirements and is now eligible to seek appointment with the Circuit Court as a SCOP.
- B. The NNPD will forward the temporary registration letters to the City Attorney's Office for submittal of a petition and an appointment order to the Newport News Circuit Court. The Circuit Court will maintain all discretion in granting appointments. Upon appointment, the City Attorney's Office will enter applicable conservator information into a computerized tracking system from which reports will be available to departments upon request.
- C. The Circuit Court will mail copies of the orders of appointment to DCJS.

VI. Final Registration Process

- A. DCJS will issue a final registration letter and photo identification card to employees following receipt of the approved order of appointment from the Circuit Court. The order of appointment approval shall be for a maximum 12 month period.
- B. Employees will submit their final registration letter and DCJS photo identification card to the Circuit Court to be sworn in as a SCOP.
- C. Employees must carry their valid registration letter at all times while on duty.

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VII. Registration Renewal Process

SCOP registration is valid for a 12 month period and may be renewed up to three 12 month periods after which another complete Circuit Court appointment registration process is required in accordance with Sections III-V of this policy. Departments are responsible for monitoring expiration dates for each employee and ensuring the employee's completion of a renewal application. DCJS requires receipt of a renewal application within 30 days prior to expiration.

The steps involved in the annual renewal process are listed below:

- A. Departments shall submit employee's renewal applications to the NNPD at least 60 days prior to the expiration of SCOP appointments.
- B. The NNPD is responsible for scheduling employees for annual training with the City's certified training school provider, coordinating the payment of fees, and submitting the renewal application to DCJS.
- C. Employees applying for registration renewal shall meet the minimum requirements for eligibility as follows:
 1. Successful completion of in-service training and firearms re-training, if applicable.
 2. Acceptable good standing in every jurisdiction where appointment is granted.
- D. DCJS may renew a registration when the following are received:
 1. A properly completed renewal application.
 2. Applicable non-refundable registration fee
 3. Documentation of in-service training including firearms re-qualification.
 4. Copy of court order granting SCOP authority and jurisdiction if changed from original filed with DCJS.
 5. Photo of the employee

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- E. DCJS will issue a registration letter for a period not to exceed 12 months and a new photo identification card upon approval of the renewal registration applications.

VIII. Photo Identification Cards

- A. Employees must carry the DCJS issued photo identification card at all times while on duty.
- B. Requests for replacements of DCJS issued photo identification cards shall require:
 - 1. A properly completed application
 - 2. The applicable, non-refundable application fee

IX. Name Change

- A. Employees are responsible for submitting a marriage license or legal documentation of a name change to the City Attorney's Office following any name change.
- B. The City Attorney's Office will coordinate the employees' name changes with DCJS and the Circuit Court and change the names in the computerized tracking system.
- C. DCJS will send employees an updated photo identification card showing an employee's new legal name following receipt of a name change from the Circuit Court.

X. Termination Notice Requirements

- A. Departments are responsible for providing written notification immediately to the Department of Human Resources when an employee terminates or no longer requires designation as a SCOP.
- B. The Department of Human Resources shall notify DCJS and the City Attorney's Office within ten (10) days following an employee's termination or when the employee no longer requires designation as a SCOP.
- C. The City Attorney's Office will terminate the SCOP status of employees in their computerized tracking system and provide reports to departments as requested.

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