

Frequently Asked Questions

Hiring Standards and Procedures for Police Officer Candidates: 9 NYCRR Part 6000

Which agencies must comply with the background investigation standards and procedures set forth in 6000.10?

Any police agency identified in Executive Law § 846-h(1)(d) must comply with the hiring standards, specifically agencies defined in paragraphs (b), (c), (d), (e), (f), (j), (k), (o), (p), (s) and (u) of subdivision thirty-four of section 1.20 of the criminal procedure law.

Which police officers hired are subject to the hiring standards pursuant to Part 6000?

The regulations apply to all police officers appointed full-time or part-time and in competitive or non-competitive class positions for agencies identified in Executive Law 846-h (1)(d). This includes individuals transferred from one department to another.

Do individuals with a valid Basic Course for Police Officers Certificate (BCPO) need to complete the medical exam or the physical fitness test?

No. If an individual has a valid BCPO, they do not need to complete the medical, physical fitness, or psychological exams, but they do need to go through the background check required per regulations. However, while an employer shall exempt a candidate from the physical fitness exam, an employer has discretion and may exempt a candidate from the medical and psychological exams.

When did the regulations take effect?

The emergency regulations took effect on October 16, 2021, and apply to all new hires where the hiring process began on or after that date. Adoption of final regulations occurred on November 2, 2022.

NYPD must comply with all hiring standards, including background and psychological evaluations, where the hiring process commenced after October 16, 2023.

What happens if the hiring process started before October 16, 2021?

The regulations apply to any hiring process that began on or after October 16, 2021.

The beginning of the hiring process for competitive positions is determined to be the date the “certification of eligible” names is provided to a hiring agency from the Civil Service list.

The beginning of the hiring process for non-competitive positions is the date any recruitment efforts for the position commences, including advertising of the position or soliciting of applicants.

Who is a qualified investigator under section 6000.10 (a)?

The hiring agency determines which investigators they deem to be qualified to conduct background checks.

Can an agency utilize their Livescan/Cardscan equipment for the fingerprint-based check of applicants?

Yes, but only if the agency is already set up and using the Livescan/Cardscan equipment or shared LiveScan/Cardscan equipment to submit all civil fingerprint types through their own equipment. Agencies not set up to use their equipment to submit civil fingerprints should use the State’s Civil Vendor Network.

If you are uncertain if your department is configured at DCJS to use your own equipment or the Civil Vendor Network, it is critical that you contact the Civil Vendor Network unit staff at dcjs.dl.CivilVendorNetwork@dcjs.ny.gov so that they can confirm.

How is controlled substance defined Under 6000.10(1)(ii)?

“Controlled substance” referenced in 6000.10(a)(1)(ii) refers to a controlled substance as defined in New York State Penal Law § 220.00 (5).

Does marijuana constitute a controlled substance under Section 6000.10(a)(1)(ii)?

No, however, an agency has the discretion to determine if an applicant is unfit to serve for “[a]ny other conduct that the agency determines is a reflection on the applicant’s moral character” pursuant to 6000.10(a)(2)(vi).

An agency should consult with their local attorney for any labor law implications (see, Labor Law Section 201-d).

Psychological Assessments: 9 NYCRR 6000.11

Which hires are subject to psychological assessments?

All candidates are subject to a psychological examination where the hiring process commenced on or after 10/16/21. However, while a department is not required to obtain a psychological examination if an officer transfers from another department and has a valid Basic Course for Policier Officers certificate (BCPO) as set forth in Section 6000.11(e), a department has discretion to request all candidates, including transfers, be subject to a psychological examination.

When must the psychological assessment be administered?

The psychological assessment must be administered post conditional offer (see, Section 6000.3). Departments administering the assessment pre-conditional offer should consult with their local attorney on the applicability of the Americans with Disabilities Act of 1990 (ADA), specifically 42 U.S.C. 12112(d)(2)(A).

Can the “Police Officer Registry Entry Form – Certification of Initial Employment” (2214a) be submitted prior to the completion of a psychological assessment?

A civil service entity can and should withhold signing Section III of the 2214a form until such time as they can confirm that all applicable requirements of Part 6000 have been met.

How long is a psychological assessment valid for?

Best practice indicates that a psychological exam is valid for up to a year from an administration.

Can you use a psychological assessment from another department?

Yes, as long as the previous psychological assessment meets the requirements of Section 6000.11 and was completed within a year.

What must be included in the psychological assessment?

At least two objective and validated psychological written tests that meet the standards set forth in Section 6000.11 (b) and a semi-structured job-related interview conducted by a qualified psychologist or psychiatrist after test results are reviewed.

Can the psychological assessment interview be conducted virtually?

Yes, a virtual interview satisfies the interview requirement of Part 6000 as long as this practice is permitted pursuant to New York State Educational Department psychological practice guidelines.

Who can administer the psychological test?

Any New York State licensed psychologist or board-certified psychiatrist that possesses the experience and qualifications necessary to administer psychological tests and interpret test results for the selection of public safety candidates (see, section 6000.1[g]).

Anyone interpreting a written test result or administering a psychological test must be licensed in New York State to perform such services.

Is the department required to directly review the psychological assessment or can the department rely on a Civil Service review of a psychological assessment?

No, a department cannot rely on a Civil Service review. Each department must review the psychological assessment report as part of the hiring process and render a final decision pursuant Section 6000.11(d).

Decertification: 9 NYCRR Part 6056

What do we do if a candidate has been dismissed for misconduct from a phase 1 academy?

The academy director should complete and submit the [DCJS Notification of Termination/Resignation Form](#).

Can an officer who is arrested, but not charged for an offense be removed for cause under Section 6056.2 (h)(1)(a)?

Yes, an officer can be removed for cause if said criminal activity delineated under Section 6056.2 (h)(1)(a) would constitute an offense in New York whether or not the officer is criminally charged or prosecuted.