

TITLE 240 STATE POLICE DEPARTMENT

ARTICLE 1. PERSONNEL

Rule 1. Standards (Repealed)

(Repealed by State Police Department; filed Aug 2, 1983, 2:17 pm: 6 IR 1640)

Rule 2. Discipline (Repealed)

(Repealed by State Police Department; filed Jan 6, 1983, 8:23 am: 6 IR 336)

Rule 3. Employee Personnel Files (Repealed)

(Repealed by State Police Department; filed Aug 2, 1983, 2:17 pm: 6 IR 1640)

Rule 4. Police Employees' Personnel Rules

240 IAC 1-4-1 Appointment policy

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 1. No applicant or employee shall be discriminated against, or favored, with the respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment because of his race, color, sex, religion, national origin, or ancestry. Each applicant and employee will be limited only by his own abilities and qualifications, and the department will endeavor to select, hire, and maintain in its employ only the best qualified persons available for any particular position. *(State Police Department; 240 IAC 1-4-1; filed Jan 6, 1983, 8:23 am: 6 IR 322; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-4-2 Appointment procedure

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 2. All police employees shall be appointed to the department:

(1) By the superintendent with the approval of the board.

(2) Only after satisfactory completion of the selection and training procedures prescribed by the superintendent and the board.

(3) For a probationary period of at least one, but not more than two years, during which time the probationer may be discharged by the superintendent without the right of hearing before the board, in accordance with the provisions of IC 10-1-1-4 *[IC 10-1 was repealed by P.L.2-2003, SECTION 102, effective July 1, 2003. See IC 10-11-2-12.]*

(4) Permanently by the superintendent and the board upon the satisfactory completion of the probationary period.

(State Police Department; 240 IAC 1-4-2; filed Jan 6, 1983, 8:23 am: 6 IR 322; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

240 IAC 1-4-3 Applicant standards for appointment

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 3. Only those applicants for the position of police employee who meet the initial standards in this section will be considered. Applicants must meet the following requirements:

(1) Be a United States citizen.

(2) Be at least twenty-one (21) years of age and less than forty (40) years of age when appointed as a police employee. The superintendent shall have the authority to recruit police employee applicants between eighteen (18) years of age and twenty-one (21) years of age, who otherwise meet all qualifications for the position of police employee, in order that the state police department may hire the applicants in nonpolice vacancies.

(3) Be a high school graduate as evidenced by a diploma or equivalency diploma issued by an accredited high school.

(4) Possess a valid driving license to operate an automobile.

(5) Be willing to do the following:

(A) If appointed, to reside and serve any place within Indiana as designated by the superintendent.

(B) To refrain from engaging in any political activity:

(i) prohibited by law; or

(ii) that would create a conflict of interest as an employee of the state police department.

(State Police Department; 240 IAC 1-4-3; filed Jan 6, 1983, 8:23 a.m.: 6 IR 322; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3375; filed Jul 7, 1997, 8:10 a.m.: 20 IR 3005; filed Jan 24, 2000, 7:49 a.m.: 23 IR 1362; filed Mar 2, 2006, 4:10 p.m.: 29 IR 2178)

240 IAC 1-4-4 Selection process for appointment

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 4. Applicants meeting the initial standards in sections 2 and 3 of this rule are subject to the following selection criteria:

(1) Selection of only those applicants who successfully pass all the preemployment tests prescribed by the superintendent.

(2) Selection of only those applicants whose character and reputation are acceptable to the state police department (department).

(3) Selection of only those applicants who meet the vision standards prescribed by the superintendent.

(4) Selection of only those applicants found to conform to the physical standards prescribed by the superintendent and the state police board, as evidenced by a physical examination conducted by a competent medical doctor retained by the department.

(5) Selection of only those applicants able to successfully pass any physical agility tests as may be prescribed by the department.

(6) Subject to budgetary limitations, assignment by the superintendent of a sufficient number of applicants, not previously eliminated by the selection procedure, to a preduity training school.

(7) Selection of only those applicants who successfully complete the preduity training school. Applicants assigned to the school may be dismissed at any time upon recommendation of the commander of the preduity training school, with the approval of the superintendent.

(8) A personal interview with the superintendent and the state police board, following which the applicants may be:

(A) appointed to the department;

(B) retained as a trooper trainee;

(C) placed on a reserve list for filling future vacancies; or

(D) dropped from further consideration as prospective police employees.

(State Police Department; 240 IAC 1-4-4; filed Jan 6, 1983, 8:23 a.m.: 6 IR 323; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

240 IAC 1-4-5 Oath, affirmation before employment

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 5. Before employment, all prospective employees must sign a statement upon their oath of affirmation, attesting that they are not now and have never been, a member of, or otherwise affiliated with, any organization, association or body which advocates the overthrow of the United States government or its several subdivisions, by force or violence or illegal means. *(State Police Department; 240 IAC 1-4-5; filed Jan 6, 1983, 8:23 am: 6 IR 323; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-4-6 Salary schedule (Repealed)

Sec. 6. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-7 Salary increases (Repealed)

Sec. 7. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-8 Pension program eligibility (Repealed)

Sec. 8. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-9 Pension program member age 55 (Repealed)

Sec. 9. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-10 Advertising vacancies; application processing for promotion (Repealed)

Sec. 10. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-11 Promotion; interview committees (Repealed)

Sec. 11. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-12 Promotion; interview process (Repealed)

Sec. 12. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-13 Promotion; recommendation, approval (Repealed)

Sec. 13. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-14 Promotion; eligibility requirement (Repealed)

Sec. 14. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-15 Promotion; captain grade and above (Repealed)

Sec. 15. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-16 Promotion; probationary periods (Repealed)

Sec. 16. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-17 Spot promotions (Repealed)

Sec. 17. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-18 Reappointment procedure

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 18. (a) A former employee seeking reappointment as a police officer to the department shall submit a letter of request to the superintendent stating the reasons therefor, his present address, the names and addresses of all his employers since leaving the department, the nature of the work performed in each employment and any other activities bearing on the request.

(b) A police employee may be re-employed as a civilian after retirement as outlined in 240 IAC 1-5.

(1) The superintendent may deny the request or refer it for further processing.

(2) If the request for reappointment is to be considered further, an investigation shall be conducted in the former employee's home community, among his recent employers, his former commanding officers, and other department associates.

(3) The former employee shall be scheduled to appear before the personnel board for an interview.

(4) The applicant shall meet all the requirements for police employees as specified in 240 IAC 1-4-2 and 240 IAC 1-4-3 subject

to the approval of the superintendent and the board.

(5) Before being reappointed, shall have demonstrated in his activities with the department and his record since leaving the department, that he is outstanding in character and ability and that he would be of greater value to the department than a new employee.

(6) Must be approved by the superintendent and the board, before being reappointed.

(7) May, at the discretion of the superintendent, be required to attend the next session of the department's pre-duty training school.

(State Police Department; 240 IAC 1-4-18; filed Jan 6, 1983, 8:23 am: 6 IR 326; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

240 IAC 1-4-19 Personnel file; accessibility (Repealed)

Sec. 19. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-20 Personnel file; expungement of certain information (Repealed)

Sec. 20. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-21 Personnel file; background investigations, character references (Repealed)

Sec. 21. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-22 Personnel file; unsuccessful applicants

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 22. If a background investigation has been conducted and character references obtained for an applicant of employment and the applicant is not subsequently hired, such reports will be kept for a period of two years, then destroyed. An applicant not subsequently hired may not view the background investigation or the character references. *(State Police Department; 240 IAC 1-4-22; filed Jan 6, 1983, 8:23 am: 6 IR 327; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-4-23 Termination; resignation, retirement policy (Repealed)

Sec. 23. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-24 Termination; mandatory retirement, age 55 (Repealed)

Sec. 24. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-24.1 Termination; mandatory retirement at 65 years of age

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 24.1. Police employees shall:

(1) be mandatorily retired on the day on which their sixty-fifth birthday occurs, unless earlier retired for occupational qualification reasons; and

(2) not be eligible for reemployment as a police officer.

(State Police Department; 240 IAC 1-4-24.1; filed Jul 7, 1997, 8:10 a.m.: 20 IR 3005; readopted filed Sep 9, 2003, 3:00 p.m.: 27 IR 286; filed Mar 2, 2006, 4:10 p.m.: 29 IR 2178)

240 IAC 1-4-25 Termination; discharge (Repealed)

Sec. 25. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-26 Discipline; superintendent's authority (Repealed)

Sec. 26. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-27 Discipline; commanding officer's authority, responsibility (Repealed)

Sec. 27. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-28 Discipline; offenses by employees (Repealed)

Sec. 28. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

240 IAC 1-4-29 Discipline; written notice to employee (Repealed)

Sec. 29. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3376)*

Rule 5. Civilian Employees' Personnel Rules

240 IAC 1-5-1 Appointment, reappointment; policy

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 1. No applicant or employee shall be discriminated against or favored, with the respect to his hire, tenure, terms [sic., “,”] conditions, or privileges of employment or any matter directly or indirectly related to employment because of his race, color, sex, religion, national origin or ancestry. Each applicant and employee will be limited only by his own abilities and qualifications, and the department will endeavor to select, hire and maintain in its employ only the best qualified persons available for any particular position. *(State Police Department; 240 IAC 1-5-1; filed Jan 6, 1983, 8:23 am: 6 IR 329; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-5-2 Appointment, reappointment; applications

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 2. (a) Applications shall be made using the official Indiana state police civilian form and shall be signed by the applicant to indicate that he certifies to the truth and accuracy of all statements made therein.

(b) Applicants shall indicate the title of the position for which they are applying.

(c) Applications will be kept in an active status for six months after which they will be placed in an inactive status.

(d) Applications will be destroyed after they have been on file for one year without placement. *(State Police Department; 240 IAC 1-5-2; filed Jan 6, 1983, 8:23 am: 6 IR 329; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-5-3 Appointment procedures

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 3. (a) Entry level vacancies can be filled without advertising.

(b) Appointments to entry level positions will be approved by the superintendent or the superintendent's designee.

(c) Whenever there is urgent need of an employee for a temporary period, a temporary appointment may be authorized for a period not to exceed ninety (90) working days. Successive temporary appointments of the same person shall not be made. However, an employee may be reappointed at a later date if his or her total employment in a temporary position does not exceed ninety (90)

working days in a twelve (12) month period.

(d) An appointment to a temporary position will be approved by the superintendent or the superintendent's designee.

(e) Any employee appointed to fill the position of an employee granted maternity, military, or special sick leave shall be terminated when the incumbent returns.

(f) All appointments of newly hired state police employees and appointments of permanent employees to different classifications shall be subject to a probationary period. The length of such probationary period shall be as follows:

(1) For an employee who works on a full-time basis, the probationary period shall be six (6) months except an employee assigned to a technical position who shall serve a probationary period of one (1) year.

(2) For an employee working less than full time, but more than half time, the probationary period shall be for one (1) year.

(3) For an employee working less than half time, the probationary period shall be eighteen (18) months.

(4) Upon written request of the commander of the probationary employee, with accompanying job related reasons, the superintendent, with approval of the state police board, may extend the probationary period by an additional period not to exceed the original probationary period.

(5) A newly hired employee who is on probation shall be subject, without recourse, to termination at any time during the probationary period by the superintendent.

(6) For the purpose of this subsection, a technical position shall be any of the following:

(A) Chemist.

(B) Information specialist.

(C) Computer programmer.

(D) Software specialist.

(E) Document examiner.

(State Police Department; 240 IAC 1-5-3; filed Jan 6, 1983, 8:23 a.m.: 6 IR 329; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3377; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

240 IAC 1-5-4 Appointment, reappointment; job qualifications

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 4. All applicants for employment shall be high school graduates or possess a general equivalency diploma (GED) equivalent and meet all job qualifications established by the superintendent. *(State Police Department; 240 IAC 1-5-4; filed Jan 6, 1983, 8:23 a.m.: 6 IR 330; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3377; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-5-5 Reappointment exceptions

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 5. No person discharged from the state police department shall afterwards be eligible for reappointment. *(State Police Department; 240 IAC 1-5-5; filed Jan 6, 1983, 8:23 a.m.: 6 IR 330; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; filed Mar 2, 2006, 4:10 p.m.: 29 IR 2178)*

240 IAC 1-5-6 Appointment, reappointment; oath and affirmation

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 6. Before employment, all prospective employees must sign a statement upon their oath or affirmation, attesting that they are not now and have never been, a member of, or otherwise affiliated with, any organization, association or body which advocates the overthrow of the United States government or its several subdivisions, by force or violence or illegal means. *(State Police Department; 240 IAC 1-5-6; filed Jan 6, 1983, 8:23 am: 6 IR 330; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)*

240 IAC 1-5-7 Appointment to port security, weighmaster positions; qualifications (Repealed)

Sec. 7. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-7.1 Appointment to motor carrier inspector positions; qualifications

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 7.1. (a) Prior to appointment, an applicant selected for motor carrier inspector position shall:

(1) be at least twenty and one-half (20½) years of age;

(2) be required to pass the motor carrier inspector background investigation; and

(3) possess a valid Indiana driver's license.

(b) An applicant will be required to pass an approved job related physical examination after employment is offered.

(c) Prior to awarding enforcement powers, motor carrier inspectors shall:

(1) successfully complete a formal motor carrier inspector school that has been approved by the superintendent;

(2) pass any written examination or other performance criteria approved by the superintendent; and

(3) be at least twenty-one (21) years of age.

(State Police Department; 240 IAC 1-5-7.1; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3377; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

240 IAC 1-5-8 Appointment, reappointment; background investigations

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2-12; IC 10-11-2-14

Sec. 8. Applicants selected for employment will be investigated in their community to ascertain their moral standing and a criminal check will be conducted. Applicants will not be employed until after a background investigation has been completed. (State Police Department; 240 IAC 1-5-8; filed Jan 6, 1983, 8:23 am: 6 IR 330; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

240 IAC 1-5-9 Reemployment of retired employees over 55 (Repealed)

Sec. 9. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-10 Assignment policy (Repealed)

Sec. 10. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-11 Promotion policy (Repealed)

Sec. 11. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-12 Transfer between divisions, districts (Repealed)

Sec. 12. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-13 Vacations; civilian employees (Repealed)

Sec. 13. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-14 Vacations; communications personnel, weighmasters and port security officers (Repealed)

Sec. 14. (Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)

240 IAC 1-5-15 Termination; retirement (Repealed)

Sec. 15. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-16 Termination; resignation, retirement notification required (Repealed)

Sec. 16. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-17 Discipline policy (Repealed)

Sec. 17. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-18 Discipline; penalties assessed by supervisors (Repealed)

Sec. 18. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-19 Discipline; action required by supervisors (Repealed)

Sec. 19. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-20 Discipline; types of offenses (Repealed)

Sec. 20. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-21 Disciplinary action; official notice (Repealed)

Sec. 21. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-22 Disciplinary action; appeals (Repealed)

Sec. 22. *(Repealed by State Police Department; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378)*

240 IAC 1-5-23 Reemployment of employees who are receiving benefits from the police benefit fund

Authority: IC 10-11-2-10

Affected: IC 10-11-1; IC 10-11-2

Sec. 23. (a) A retired employee who desires to be reemployed will be required to compete with other nondepartment applicants in accordance with the procedures outlined in sections 1 through 8 of this rule.

(b) If a former employee is reemployed, the superintendent shall make appointment:

(1) at the same rate of pay the employee had been receiving when the employee was last in that class or a class of the same salary range; or

(2) at the nearest higher dollar amount to the salary received before separation that is within the current salary range for the class.

(State Police Department; 240 IAC 1-5-23; filed Aug 8, 1995, 12:00 p.m.: 18 IR 3378; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935)

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