



Municipal Technical Advisory Service

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The following document was created from the MTAS electronic library known as MORE. This online library is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MORE material.

Sincerely,

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Physical Testing for Police

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T.C.A. § 38-8-106 sets forth the basic qualifications for police officers. The Peace Officer Standards and Training Commission (POST) is authorized by T.C.A. § 38-8-104(a)(4) to regulate the employment and training of police officers by uniform standards, including pre-employment physical, educational, and proficiency qualifications and requirements for officer certification. The Commission not only has the duty to consult and cooperate with municipalities concerning police recruitment and training, but also has the authority to establish criteria for determining whether to grant an exception to or waive the qualifications of minimum standards. (See T.C.A. § 38-8-104(e).)

One of the qualifications is that the person employed as a police officer has passed a physical examination by a licensed physician. Statutes do not explicitly state that police officers maintain their physical ability while serving as a police officer. It is, therefore, not uncommon in Tennessee cities to have an officer take a physical examination as part of a pre-employment job offer and not take another physical examination for the remainder of his/her career.

It can be argued that an officer who commits a felony loses his qualification as a police officer and that an officer who has a mental disorder also loses his/her qualification. Why then would the officer not lose his qualification by becoming physically unfit?

Physical exercise has been medically proven to be beneficial for the human body, and especially for one who is in a stressful occupation. Exercise helps to alleviate stress by venting feelings of anxiety and frustration. Exercise also fatigues the body so that sleep is easier and deeper, which helps to alleviate stress. Through exercise, stress is diminished and the officer's chance of suffering from hypertension and other coronary diseases is reduced.

If physical ability is beneficial, why then do most police departments shy away from physical examinations as a means of determining fitness? There are at least four reasons for this reluctance: (1) the governing board feels that periodic medical examinations and/or physical ability training is too expensive; (2) many city councils/boards have simply not required their officers to maintain their physical ability to do the job; (3) officers with lengthy service records sometimes feel that physical ability programs are an effort to purge the department of the "old timers"; and (4) it is very difficult to develop ability tests that are fair and that are job related.

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