



Corrections and Community Supervision

Psychological Screening Program For Correction Officer Trainee Candidates

2021

PSYCHOLOGICAL SCREENING PROGRAM FOR CORRECTION OFFICER TRAINEE CANDIDATES 2021

OVERVIEW

This 36th report of the Psychological Screening Program for Correction Officer Trainee candidates summarizes the Program's activities for calendar year 2021.

A. Legislative Overview

The objective of psychologically screening Correction Officer Trainee candidates is to identify those individuals with psychological disorders that could hinder job performance.

The statutory authorization for the Psychological Screening Program is set forth in Correction Law Section 8. It was originally enacted into law by Chapter 887 of the laws of 1983, with a two-year sunset clause. Over the years, the Legislature has regularly extended the sunset clause for this program, together with a whole host of other provisions of law that would expire unless extended. Most recently, pursuant to Chapter 55, Part A, Section 1, of the laws of 2021, the program was again extended and will remain in effect until September 2023. Section 8 also requires the Department to submit an annual report to the Governor and the Legislature "on the conduct of the psychological testing program and the results of such program in improving the quality of correction officer candidates."

B. Program Overview

1. Consultant Contract and Project Staffing Through 2019

Law Enforcement Psychological Services, Inc. (LEPS) was contracted to conduct the screenings, evaluate the candidates and prepare the psychological reports from June 1999 through September 2019 and was re-contracted for October 2019 through September 2024.

2. Candidate Evaluation Process

Section 8 of the New York State Correction Law sets forth the conditions under which a Correction Officer Trainee candidate may be found psychologically unsuitable and therefore ineligible for appointment. Subdivision two, in part states:

"Persons who have been determined by a psychologist licensed under the laws of this state as suffering from psychotic disorders, serious character disorders, or other disorders which could hinder performance on the job may be deemed ineligible for appointment; provided, however, that other components of the employee selection process may be taken into consideration in reaching the determination as to whether a candidate is deemed eligible or ineligible for certification to a list of eligible candidates."

The following discussion specifies the various aspects of the assessment program under the screening contract with LEPS.

**ASPECTS OF CANDIDATE ASSESSMENT
UNDER LAW ENFORCEMENT PSYCHOLOGICAL SERVICES, INC.**

Vendor	Psychological Test/Battery	Rating Dimensions	Six Point Scale
LEPS June 1999-Present	<ol style="list-style-type: none"> 1. California Psychological Inventory 2. Personality Assessment Inventory 3. State-Trait Anger Expression Inventory 4. Personal History Questionnaire - LEPS/Roberts 	12 rating dimensions	6 point scale including 4 suitability ratings and 2 unsuitability ratings

Since June 1999, the candidate assessment has consisted of a two-day procedure.

On Day One, each candidate appears at the Albany Training Academy to be given a psychological test battery consisting of:

1. California Psychological Inventory (CPI)
2. Personality Assessment Inventory (PAI)
3. State-Trait Anger Expression Inventory (STAXI)
4. Personal History Questionnaire – LEPS/Roberts

The tests are scored by the vendor.

On Day Two, the candidate has a face-to-face structured clinical interview with a licensed psychologist.

Since October 15, 2005, candidates are evaluated by their interviewing psychologists on twelve different rating dimensions, which are reflective of overall psychological functioning and adjustment. (For the procedures used prior to this date, refer to the 2005 annual report.)

The twelve rating dimensions are:

1. Social Competence
2. Teamwork
3. Adaptability/Flexibility
4. Conscientiousness/Dependability
5. Impulse Control/Attention to Safety
6. Integrity/Ethics
7. Emotional Regulation and Stress Tolerance
8. Decision-Making and Judgment
9. Assertiveness/Persuasiveness
10. Avoiding Substance Abuse and Other Risk-Taking Behavior
11. Problem Solving/Learning
12. Communication Skills

These twelve dimensions are termed “Anticipated Performance Problems on Essential Job Elements for Public Safety Officer Positions.” This job element list is derived from the State of California Peace Officer Standards and Training Commission job task analysis.

In January of 2017, DOCCS in conjunction with LEPS implemented an improved tolerance screening to better identify those applicants who may indicate a bias against other groups. The screening includes the following:

- The applicant’s score on a subscale of the CPI measuring tolerance for other’s differences.
- Questions about negative experiences with people from other backgrounds.
- A discussion of any groups the applicant has biases against or negative feelings toward.

Any significant results of this assessment are included within the Social Competence dimension of the rating system.

Upon conclusion of the structured interview, the interviewer integrates findings from the interview, psychological tests, and personal history questionnaire to determine the level, if any, of anticipated performance problems for each candidate. The interviewer thereby arrives at a final overall psychological rating for the candidate.

The vendor uses a six-category rating scale. The first four categories each constitute a “recommend” of the candidate for hire. These first four categories include the following:

- A. WELL SUITED: The applicant's psychological traits are expected to contribute to above standard performance of essential job functions.
- B. SUITABLE: The applicant's psychological traits are not expected to interfere with the performance of essential job functions.
- C. SUITABLE: There are some concerns about psychological traits that could interfere with the performance of essential job functions.
- C-. MARGINALLY SUITABLE: There are substantial concerns that psychological traits and behavior patterns will interfere with the performance of essential job functions. The Department should determine whether other data supports these concerns prior to making a final hiring decision.

The fifth and sixth categories each constitute a “do not recommend” of the candidate for hire, as follows:

- D. POORLY SUITED: Psychological traits have been identified that are expected to significantly interfere with the performance of essential job functions.
- F. NOT PSYCHOLOGICALLY SUITED for public safety employment.

Based on a recommendation against hiring, a notification letter is subsequently sent to the Correction Officer Trainee candidate as a Department finding of psychological unsuitability. As part of this notification, the Department informs the candidate of their right to appeal. The psychologically unsuitable candidate may appeal the Department’s decision to a three-member Independent Advisory Board selected by the President of the Civil Service Commission.

This Board is composed of a licensed psychologist, a board-certified psychiatrist, and a representative of the NYS Department of Civil Service. This Board’s recommendation to continue or overturn a psychological disqualification marks the final determination of psychological eligibility to be hired from that Civil Service List.

C. Applicant Processing Data: 2007-2021

The following table presents applicant psychological processing data for the period from 2007 through 2021. Specifically, information is presented on the number of Correction Officer Trainee candidates psychologically tested on an annual basis, the number of candidates who were psychologically disqualified, the number who appealed their psychological disqualifications and the number of appeals that resulted in the disqualification being overturned.

YEAR	PSYCHOLOGICALLY TESTED	PSYCHOLOGICALLY DISQUALIFIED* # %	PSYCH DQ APPEALS	APPEAL BOARD OVERTURNS
2007	5,730	1,893 33%	1,367	103
2008	984	254 26%	157	11
2009	12	2 17%	1	0
2010	2,849	774 27%	352	26
2011	2	0 0%	204	16
2012	2,451	760 31%	343	10
2013	2,282	687 30%	385	17
2014	3,807	895 24%	567	45
2015	3,805	842 22%	573	45
2016	3,436	906 26%	706	44
2017	3,450	778 23%	667	39
2018	2,832	514 18%	489	22
2019	3,837	795 21%	332	5
2020	1,240	233 19%	130	1
2021	2,858	510 18%	330	3

* Of those candidates who had completed the screening process at the time of the report.

SOURCE: NYS DOCCS Bureau of Personnel

In 2021, 2,858 Correction Officer Trainee candidates were psychologically tested; 510 candidates were found to be psychologically unsuitable. At the time of this report, the Advisory Board had overturned 3 or <1% of the 330 psychological unsuitability appeals.

D. Probationary Termination Study

Correction Officer Trainee appointees are tracked for termination during the one-year probationary period by matching all appointees against a list of Correction Officer Trainee probationary terminations at the Training Academy and in the facilities. This one-year probationary period may be extended based on absences.

During 2020, there were 345 Correction Officer Trainee appointments and a total of 31 probationary terminations occurred among these appointments, resulting in an 8.9% probationary termination rate. Twenty-nine of these terminations were Training Academy terminations; the other 2 terminations occurred while the probationary officers were working in correctional facilities. The reasons for the terminations are as follows:

A) Training Academy Terminations	29	
1. Academic Disqualification		6
2. Weapons Disqualification		21*
3. Engaged in Unlawful Activity		0
4. Physical Fitness Failure		0
5. Conduct Unbecoming		1
6. Attendance Issues		1
7. Performance of duty		0
B) Facility Terminations	2	
1. Off-duty Issues/Arrest		0
2. Time and Attendance		2
3. Performance of duty		0
4. Conduct Unbecoming		0
Total	31	

*Of the 21 probationary terminations that occurred at the Training Academy due to weapons disqualifications, 12 were subsequently reinstated and successfully completed the academy.

CONCLUSION

In accordance with the statutory requirement, this report concerns the operation of the Psychological Screening Program in 2021.

As discussed in this report, the program has operated in compliance with the governing statute during this time period and successfully reviewed the pool of Correction Officer Trainee candidates required to meet the Department's personnel needs.

Based on this year's rate of probationary terminations, the Department's Bureau of Personnel continues to believe that the Psychological Screening Program represents a very effective means of identifying suitable candidates for employment as Correction Officers in New York State.

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