



West Virginia Purchasing Division

2019 Washington Street, East
Charleston, WV 25305
Telephone: 304-558-2306
General Fax: 304-558-6026
Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at ***wvOASIS.gov***. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at ***WVPurchasing.gov*** with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

Header

General Information | [Contact](#) | [Default Values](#) | [Discount](#) | [Document Information](#)

Procurement Folder: 152024

SO Doc Code: CRFQ

Procurement Type: Central Master Agreement

SO Dept: 0612

Vendor ID:

SO Doc ID: DPS160000008

Legal Name: LAW ENFORCEMENT SERVICES INC

Published Date: 6/2/16

Alias/DBA:

Close Date: 7/5/16

Total Bid: \$72,125.00

Close Time: 13:30

Response Date:

Status: Closed

Response Time:

Solicitation Description:

Total of Header Attachments: 0

Total of All Attachments: 0



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**State of West Virginia
 Solicitation Response**

Proc Folder : 152024
Solicitation Description : Integrated Suitability Assessment System
Proc Type : Central Master Agreement

Date issued	Solicitation Closes	Solicitation No	Version
	2016-07-05 13:30:00	SR 0612 ESR06211600000006215	1

VENDOR
000000214011 LAW ENFORCEMENT SERVICES INC

FOR INFORMATION CONTACT THE BUYER
 Charles D Barnette
 (304) 558-2566
 charles.d.barnette@wv.gov

Signature X **FEIN #** **DATE**

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Integrated Suitability assessment System/Phase 1	250.00000	EA	\$160.000000	\$40,000.00

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description : Integrated Suitability Assessment System - Phase 1 Preliminary Screener Report - per candidate

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Integrated Suitability Assessment System/Phase II	150.00000	EA	\$200.000000	\$30,000.00

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description : Integrated Suitability Assessment System/Phase II - Comprehensive Evaluation Reports - per candidate

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Integrated Suitability Assessment System/Admin Fee	20.00000	EA	\$100.000000	\$2,000.00

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description : Integrated Suitability Assessment System/Administrative Fee for non-complete or fail to appear for interview - per candidate

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	Integrated Suitability Assessment System/Annual renewal fee	1.00000	EA	\$125.000000	\$125.00

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description : Integrated Suitability Assessment System/Annual renewal fee on on-line security access



June 9, 2016

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street, East
Charleston, WV 25305-0130

RE: **Reply to RFQ# DPS 1600000008 Integrated Suitability Assessment System, West Virginia State Police**

The attached proposal contains our detailed response to RFQ# DPS1600000008 (Integrated Suitability Assessment System, West Virginia State Police). As noted in our response, we believe the LESI® Multi-domain Assessment Process (including onlinePHQ®), meets or exceeds the requirements of the West Virginia State Police as described in your specifications.

The following pricing information, which can also be found on page 12 of the signed RFQ (attached) will be valid until August 31, 2016.

- 1. Multi-domain screening reports with onlinePHQ® \$ 160.00 per applicant
(“Preliminary screener report” as described on RFQ, includes initial eligibility list as described in specifications)
- 2. Comprehensive Suitability Evaluation Report \$ 200.00 per applicant
- 3. Administrative processing fee \$ 100.00 per applicant
(Failure to initiate/complete onlinePHQ® after completing testing and/or failure to appear for scheduled interview)
- 4. Annual Renewal for online Security Access Fee: \$ 125.00 per annual renewal
- 5. Training and consultation to Agency Personnel \$ No charge
(Includes training in applicant administration, orientation of background investigators and unlimited telephone consultation)

These prices are FOB South Charleston, WV and inclusive of all materials and regular administrative expenses as well as travel, lodging, and food expense.

Thank you for the opportunity to respond to your proposal. If you are in need of any additional information, please do not hesitate to contact me.

Sincerely,

Ellen B. Cuttler, President
EC:mw
Attachments

LESI®
Law Enforcement Services, Inc.
3409 West Wendover Avenue Suite A
Greensboro, North Carolina 27407
336.852.6902
www.lesi.com



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation
 31 - Public Safety

Proc Folder: 152024

Doc Description: Integrated Suitability Assessment System

Proc Type: Central Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version
2016-06-02	2016-07-05 13:30:00	CRFQ 0612 DPS1600000008	1

BID RECEIVING LOCATION
 BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR
 Vendor Name, Address and Telephone Number:
Law Enforcement Services, Inc.
3409-A West Wendover Ave.
Greensboro, NC 27407
(336) 852-6902

FOR INFORMATION CONTACT THE BUYER
 Charles D Barnette
 (304) 558-2566
 charles.d.barnette@wv.gov

Signature X *Ellen Cutler (Ellen Cutler)* FEIN # *56-1616645* DATE *6/09/16*

All offers subject to all terms and conditions contained in this solicitation

ADDITIONAL INFORMATION:

The West Virginia Purchasing Division is soliciting bids on behalf of WV State Police to establish an open-end contract for an integrated suitability assessment system to support screening and selection of applicants to the West Virginia State Police Trooper position, per the attached documentation.

INVOICE TO		SHIP TO	
WEST VIRGINIA STATE POLICE 4124 KANAWHA TURNPIKE		WEST VIRGINIA STATE POLICE 4124 KANAWHA TURNPIKE	
SOUTH CHARLESTON	WV25309	SOUTH CHARLESTON	WV 25309
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Integrated Suitability assessment System/Phase 1	250.00000	EA		

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description :

Integrated Suitability Assessment System - Phase 1 Preliminary Screener Report - per candidate

INVOICE TO		SHIP TO	
WEST VIRGINIA STATE POLICE 4124 KANAWHA TURNPIKE		WEST VIRGINIA STATE POLICE 4124 KANAWHA TURNPIKE	
SOUTH CHARLESTON	WV25309	SOUTH CHARLESTON	WV 25309
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Integrated Suitability Assessment System/Phase II	150.00000	EA		

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description :

Integrated Suitability Assessment System/Phase II - Comprehensive Evaluation Reports - per candidate

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SOUTH CHARLESTON	WV25309	SOUTH CHARLESTON	WV 25309
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Integrated Suitability Assessment System/Admin Fee	20.00000	EA		

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description :

Integrated Suitability Assessment System/Administrative Fee for non-complete or fail to appear for interview - per candidate

INVOICE TO		SHIP TO	
WEST VIRGINIA STATE POLICE 4124 KANAWHA TURNPIKE		WEST VIRGINIA STATE POLICE 4124 KANAWHA TURNPIKE	
SOUTH CHARLESTON	WV25309	SOUTH CHARLESTON	WV 25309
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	Integrated Suitability Assessment System/Annual renewal fee	1.00000	EA		

Comm Code	Manufacturer	Specification	Model #
80111718			

Extended Description :

Integrated Suitability Assessment System/Annual renewal fee on on-line security access

SCHEDULE OF EVENTS

Line	Event	Event Date
1	Technical Question Deadline	2016-06-17

DPS1600000008	Document Phase Draft	Document Description Integrated Suitability Assessment System	Page 4 of 4
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ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

INSTRUCTIONS TO VENDORS SUBMITTING BIDS

1. REVIEW DOCUMENTS THOROUGHLY: The attached documents contain a solicitation for bids. Please read these instructions and all documents attached in their entirety. These instructions provide critical information about requirements that if overlooked could lead to disqualification of a Vendor's bid. All bids must be submitted in accordance with the provisions contained in these instructions and the Solicitation. Failure to do so may result in disqualification of Vendor's bid.

2. MANDATORY TERMS: The Solicitation may contain mandatory provisions identified by the use of the words "must," "will," and "shall." Failure to comply with a mandatory term in the Solicitation will result in bid disqualification.

3. PREBID MEETING: The item identified below shall apply to this Solicitation.

A pre-bid meeting will not be held prior to bid opening

A **NON-MANDATORY PRE-BID** meeting will be held at the following place and time:

A **MANDATORY PRE-BID** meeting will be held at the following place and time:

All Vendors submitting a bid must attend the mandatory pre-bid meeting. Failure to attend the mandatory pre-bid meeting shall result in disqualification of the Vendor's bid. No one person attending the pre-bid meeting may represent more than one Vendor.

An attendance sheet provided at the pre-bid meeting shall serve as the official document verifying attendance. The State will not accept any other form of proof or documentation to verify attendance. Any person attending the pre-bid meeting on behalf of a Vendor must list on the attendance sheet his or her name and the name of the Vendor he or she is representing.

Additionally, the person attending the pre-bid meeting should include the Vendor's E-Mail address, phone number, and Fax number on the attendance sheet. It is the Vendor's responsibility to locate the attendance sheet and provide the required information. Failure to complete the attendance sheet as required may result in disqualification of Vendor's bid.

All Vendors should arrive prior to the starting time for the pre-bid. Vendors who arrive after the starting time but prior to the end of the pre-bid will be permitted to sign in, but are charged with knowing all matters discussed at the pre-bid.

Questions submitted at least five business days prior to a scheduled pre-bid will be discussed at the pre-bid meeting if possible. Any discussions or answers to questions at the pre-bid meeting are preliminary in nature and are non-binding. Official and binding answers to questions will be published in a written addendum to the Solicitation prior to bid opening.

4. VENDOR QUESTION DEADLINE: Vendors may submit questions relating to this Solicitation to the Purchasing Division. Questions must be submitted in writing. All questions must be submitted on or before the date listed below and to the address listed below in order to be considered. A written response will be published in a Solicitation addendum if a response is possible and appropriate. Non-written discussions, conversations, or questions and answers regarding this Solicitation are preliminary in nature and are nonbinding.

Submitted e-mails should have solicitation number in the subject line.

Question Submission Deadline: June 17, 2016 by 4:00 PM

Submit Questions to: Charles Barnette

2019 Washington Street, East

Charleston, WV 25305

Fax: (304) 558-4115 (Vendors should not use this fax number for bid submission)

Email: Charles.D.Barnette@wv.gov

5. VERBAL COMMUNICATION: Any verbal communication between the Vendor and any State personnel is not binding, including verbal communication at the mandatory pre-bid conference. Only information issued in writing and added to the Solicitation by an official written addendum by the Purchasing Division is binding.

6. BID SUBMISSION: All bids must be submitted electronically through wvOASIS or signed and delivered by the Vendor to the Purchasing Division at the address listed below on or before the date and time of the bid opening. Any bid received by the Purchasing Division staff is considered to be in the possession of the Purchasing Division and will not be returned for any reason. The Purchasing Division will not accept bids, modification of bids, or addendum acknowledgment forms via e-mail. Acceptable delivery methods include electronic submission via wvOASIS, hand delivery, delivery by courier, or facsimile.

The bid delivery address is:
Department of Administration, Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

A bid that is not submitted electronically through wvOASIS should contain the information listed below on the face of the envelope or the bid may be rejected by the Purchasing Division.:

SEALED BID:
BUYER:
SOLICITATION NO.:
BID OPENING DATE:
BID OPENING TIME:
FAX NUMBER:

The Purchasing Division may prohibit the submission of bids electronically through wvOASIS at its sole discretion. Such a prohibition will be contained and communicated in the wvOASIS system resulting in the Vendor's inability to submit bids through wvOASIS. Submission of a response to an Expression or Interest or Request for Proposal is not permitted in wvOASIS.

For Request For Proposal ("RFP") Responses Only: In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus N/A convenience copies of each to the Purchasing Division at the address shown above. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal as follows:

BID TYPE: (This only applies to CRFP)

- Technical
 Cost

7. BID OPENING: Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when confirmation of delivery is provided by wvOASIS (in the case of electronic submission) or when the bid is time stamped by the official Purchasing Division time clock (in the case of hand delivery).

Bid Opening Date and Time: July 5, 2016 at 1:30 PM

Bid Opening Location: Department of Administration, Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

8. ADDENDUM ACKNOWLEDGEMENT: Changes or revisions to this Solicitation will be made by an official written addendum issued by the Purchasing Division. Vendor should acknowledge receipt of all addenda issued with this Solicitation by completing an Addendum Acknowledgment Form, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

9. BID FORMATTING: Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

10. ALTERNATES: Any model, brand, or specification listed in this Solicitation establishes the acceptable level of quality only and is not intended to reflect a preference for, or in any way favor, a particular brand or vendor. Vendors may bid alternates to a listed model or brand provided that the alternate is at least equal to the model or brand and complies with the required specifications. The equality of any alternate being bid shall be determined by the State at its sole discretion. Any Vendor bidding an alternate model or brand should clearly identify the alternate items in its bid and should include manufacturer's specifications, industry literature, and/or any other relevant documentation demonstrating the equality of the alternate items. Failure to provide information for alternate items may be grounds for rejection of a Vendor's bid.

11. EXCEPTIONS AND CLARIFICATIONS: The Solicitation contains the specifications that shall form the basis of a contractual agreement. Vendor shall clearly mark any exceptions, clarifications, or other proposed modifications in its bid. Exceptions to, clarifications of, or modifications of a requirement or term and condition of the Solicitation may result in bid disqualification.

12. COMMUNICATION LIMITATIONS: In accordance with West Virginia Code of State Rules §148-1-6.6, communication with the State of West Virginia or any of its employees regarding this Solicitation during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited without prior Purchasing Division approval. Purchasing Division approval for such communication is implied for all agency delegated and exempt purchases.

13. REGISTRATION: Prior to Contract award, the apparent successful Vendor must be properly registered with the West Virginia Purchasing Division and must have paid the \$125 fee, if applicable.

14. UNIT PRICE: Unit prices shall prevail in cases of a discrepancy in the Vendor's bid.

15. PREFERENCE: Vendor Preference may only be granted upon written request and only in accordance with the West Virginia Code § 5A-3-37 and the West Virginia Code of State Rules. A Vendor Preference Certificate form has been attached hereto to allow Vendor to apply for the preference. Vendor's failure to submit the Vendor Preference Certificate form with its bid will result in denial of Vendor Preference. Vendor Preference does not apply to construction projects.

16. SMALL, WOMEN-OWNED, OR MINORITY-OWNED BUSINESSES: For any solicitations publicly advertised for bid, in accordance with West Virginia Code §5A-3-37(a)(7) and W. Va. CSR § 148-22-9, any non-resident vendor certified as a small, women-owned, or minority-owned business under W. Va. CSR § 148-22-9 shall be provided the same preference made available to any resident vendor. Any non-resident small, women-owned, or minority-owned business must identify itself as such in writing, must submit that writing to the Purchasing Division with its bid, and must be properly certified under W. Va. CSR § 148-22-9 prior to contract award to receive the preferences made available to resident vendors. Preference for a non-resident small, women-owned, or minority owned business shall be applied in accordance with W. Va. CSR § 148-22-9.

17. WAIVER OF MINOR IRREGULARITIES: The Director reserves the right to waive minor irregularities in bids or specifications in accordance with West Virginia Code of State Rules § 148-1-4.6.

18. ELECTRONIC FILE ACCESS RESTRICTIONS: Vendor must ensure that its submission in wvOASIS can be accessed by the Purchasing Division staff immediately upon bid opening. The Purchasing Division will consider any file that cannot be immediately opened and/or viewed at the time of the bid opening (such as, encrypted files, password protected files, or incompatible files) to be blank or incomplete as context requires, and are therefore unacceptable. A vendor will not be permitted to unencrypt files, remove password protections, or resubmit documents after bid opening if those documents are required with the bid.

19. NON-RESPONSIBLE: The Purchasing Division Director reserves the right to reject the bid of any vendor as Non-Responsible in accordance with W. Va. Code of State Rules § 148-1-5.3, when the Director determines that the vendor submitting the bid does not have the capability to fully perform, or lacks the integrity and reliability to assure good-faith performance.”

20. ACCEPTANCE/REJECTION: The State may accept or reject any bid in whole, or in part in accordance with W. Va. Code of State Rules § 148-1-4.5. and § 148-1-6.4.b.”

21. YOUR SUBMISSION IS A PUBLIC DOCUMENT: Vendor’s entire response to the Solicitation and the resulting Contract are public documents. As public documents, they will be disclosed to the public following the bid/proposal opening or award of the contract, as required by the competitive bidding laws of West Virginia Code §§ 5A-3-1 et seq., 5-22-1 et seq., and 5G-1-1 et seq. and the Freedom of Information Act West Virginia Code §§ 29B-1-1 et seq.

DO NOT SUBMIT MATERIAL YOU CONSIDER TO BE CONFIDENTIAL, A TRADE SECRET, OR OTHERWISE NOT SUBJECT TO PUBLIC DISCLOSURE.

Submission of any bid, proposal, or other document to the Purchasing Division constitutes your explicit consent to the subsequent public disclosure of the bid, proposal, or document. The Purchasing Division will disclose any document labeled “confidential,” “proprietary,” “trade secret,” “private,” or labeled with any other claim against public disclosure of the documents, to include any “trade secrets” as defined by West Virginia Code § 47-22-1 et seq. All submissions are subject to public disclosure without notice.

GENERAL TERMS AND CONDITIONS:

1. CONTRACTUAL AGREEMENT: Issuance of a Award Document signed by the Purchasing Division Director, or his designee, and approved as to form by the Attorney General's office constitutes acceptance of this Contract made by and between the State of West Virginia and the Vendor. Vendor's signature on its bid signifies Vendor's agreement to be bound by and accept the terms and conditions contained in this Contract.

2. DEFINITIONS: As used in this Solicitation/Contract, the following terms shall have the meanings attributed to them below. Additional definitions may be found in the specifications included with this Solicitation/Contract.

2.1. "Agency" or "Agencies" means the agency, board, commission, or other entity of the State of West Virginia that is identified on the first page of the Solicitation or any other public entity seeking to procure goods or services under this Contract.

2.2. "Bid" or "Proposal" means the vendors submitted response to this solicitation.

2.3. "Contract" means the binding agreement that is entered into between the State and the Vendor to provide the goods or services requested in the Solicitation.

2.4. "Director" means the Director of the West Virginia Department of Administration, Purchasing Division.

2.5. "Purchasing Division" means the West Virginia Department of Administration, Purchasing Division.

2.6. "Award Document" means the document signed by the Agency and the Purchasing Division, and approved as to form by the Attorney General, that identifies the Vendor as the contract holder.

2.7. "Solicitation" means the official notice of an opportunity to supply the State with goods or services that is published by the Purchasing Division.

2.8. "State" means the State of West Virginia and/or any of its agencies, commissions, boards, etc. as context requires.

2.9. "Vendor" or "Vendors" means any entity submitting a bid in response to the Solicitation, the entity that has been selected as the lowest responsible bidder, or the entity that has been awarded the Contract as context requires.

3. CONTRACT TERM; RENEWAL; EXTENSION: The term of this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below:

Term Contract

Initial Contract Term: This Contract becomes effective on
Upon Award _____ and extends for a period of One (1) year(s).

Renewal Term: This Contract may be renewed upon the mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any request for renewal should be submitted to the Purchasing Division thirty (30) days prior to the expiration date of the initial contract term or appropriate renewal term. A Contract renewal shall be in accordance with the terms and conditions of the original contract. Renewal of this Contract is limited to Three (3) successive one (1) year periods or multiple renewal periods of less than one year, provided that the multiple renewal periods do not exceed 36 months in total. Automatic renewal of this Contract is prohibited. Notwithstanding the foregoing, Purchasing Division approval is not required on agency delegated or exempt purchases. Attorney General approval may be required for vendor terms and conditions.

Delivery Order Limitations: In the event that this contract permits delivery orders, a delivery order may only be issued during the time this Contract is in effect. Any delivery order issued within one year of the expiration of this Contract shall be effective for one year from the date the delivery order is issued. No delivery order may be extended beyond one year after this Contract has expired.

Fixed Period Contract: This Contract becomes effective upon Vendor's receipt of the notice to proceed and must be completed within _____ days.

Fixed Period Contract with Renewals: This Contract becomes effective upon Vendor's receipt of the notice to proceed and part of the Contract more fully described in the attached specifications must be completed within _____ days.

Upon completion, the vendor agrees that maintenance, monitoring, or warranty services will be provided for one year thereafter with an additional _____ successive one year renewal periods or multiple renewal periods of less than one year provided that the multiple renewal periods do not exceed _____ months in total. Automatic renewal of this Contract is prohibited.

One Time Purchase: The term of this Contract shall run from the issuance of the Award Document until all of the goods contracted for have been delivered, but in no event will this Contract extend for more than one fiscal year.

Other: See attached.

4. NOTICE TO PROCEED: Vendor shall begin performance of this Contract immediately upon receiving notice to proceed unless otherwise instructed by the Agency. Unless otherwise specified, the fully executed Award Document will be considered notice to proceed.

5. QUANTITIES: The quantities required under this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below.

Open End Contract: Quantities listed in this Solicitation are approximations only, based on estimates supplied by the Agency. It is understood and agreed that the Contract shall cover the quantities actually ordered for delivery during the term of the Contract, whether more or less than the quantities shown.

Service: The scope of the service to be provided will be more clearly defined in the specifications included herewith.

Combined Service and Goods: The scope of the service and deliverable goods to be provided will be more clearly defined in the specifications included herewith.

One Time Purchase: This Contract is for the purchase of a set quantity of goods that are identified in the specifications included herewith. Once those items have been delivered, no additional goods may be procured under this Contract without an appropriate change order approved by the Vendor, Agency, Purchasing Division, and Attorney General's office.

6. EMERGENCY PURCHASES: The Purchasing Division Director may authorize the Agency to purchase goods or services in the open market that Vendor would otherwise provide under this Contract if those goods or services are for immediate or expedited delivery in an emergency. Emergencies shall include, but are not limited to, delays in transportation or an unanticipated increase in the volume of work. An emergency purchase in the open market, approved by the Purchasing Division Director, shall not constitute a breach of this Contract and shall not entitle the Vendor to any form of compensation or damages. This provision does not excuse the State from fulfilling its obligations under a One Time Purchase contract.

7. REQUIRED DOCUMENTS: All of the items checked below must be provided to the Purchasing Division by the Vendor as specified below.

BID BOND (Construction Only): Pursuant to the requirements contained in W. Va. Code § 5-22-1(c), All Vendors submitting a bid on a construction project shall furnish a valid bid bond in the amount of five percent (5%) of the total amount of the bid protecting the State of West Virginia. The bid bond must be submitted with the bid.

PERFORMANCE BOND: The apparent successful Vendor shall provide a performance bond in the amount of _____. The performance bond must be received by the Purchasing Division prior to Contract award. On construction contracts, the performance bond must be 100% of the Contract value.

LABOR/MATERIAL PAYMENT BOND: The apparent successful Vendor shall provide a labor/material payment bond in the amount of 100% of the Contract value. The labor/material payment bond must be delivered to the Purchasing Division prior to Contract award.

In lieu of the Bid Bond, Performance Bond, and Labor/Material Payment Bond, the Vendor may provide certified checks, cashier's checks, or irrevocable letters of credit. Any certified check, cashier's check, or irrevocable letter of credit provided in lieu of a bond must be of the same amount and delivered on the same schedule as the bond it replaces. A letter of credit submitted in lieu of a performance and labor/material payment bond will only be allowed for projects under \$100,000. Personal or business checks are not acceptable.

MAINTENANCE BOND: The apparent successful Vendor shall provide a two (2) year maintenance bond covering the roofing system. The maintenance bond must be issued and delivered to the Purchasing Division prior to Contract award.

INSURANCE: The apparent successful Vendor shall furnish proof of the following insurance prior to Contract award and shall list the state as a certificate holder:

Commercial General Liability Insurance: In the amount of _____
_____ or more.

Builders Risk Insurance: In an amount equal to 100% of the amount of the Contract.

The apparent successful Vendor shall also furnish proof of any additional insurance requirements contained in the specifications prior to Contract award regardless of whether or not that insurance requirement is listed above.

LICENSE(S) / CERTIFICATIONS / PERMITS: In addition to anything required under the Section entitled Licensing, of the General Terms and Conditions, the apparent successful Vendor shall furnish proof of the following licenses, certifications, and/or permits prior to Contract award, in a form acceptable to the Purchasing Division.

The apparent successful Vendor shall also furnish proof of any additional licenses or certifications contained in the specifications prior to Contract award regardless of whether or not that requirement is listed above.

8. WORKERS' COMPENSATION INSURANCE: The apparent successful Vendor shall comply with laws relating to workers compensation, shall maintain workers' compensation insurance when required, and shall furnish proof of workers' compensation insurance upon request.

9. LITIGATION BOND: The Director reserves the right to require any Vendor that files a protest of an award to submit a litigation bond in the amount equal to one percent of the lowest bid submitted or \$5,000, whichever is greater. The entire amount of the bond shall be forfeited if the hearing officer determines that the protest was filed for frivolous or improper purpose, including but not limited to, the purpose of harassing, causing unnecessary delay, or needless expense for the Agency. All litigation bonds shall be made payable to the Purchasing Division. In lieu of a bond, the protester may submit a cashier's check or certified check payable to the Purchasing Division. Cashier's or certified checks will be deposited with and held by the State Treasurer's office. If it is determined that the protest has not been filed for frivolous or improper purpose, the bond or deposit shall be returned in its entirety.

10. LIQUIDATED DAMAGES: Vendor shall pay liquidated damages in the amount of

_____ for _____.

This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue any other available remedy.

11. ACCEPTANCE: Vendor's signature on its bid, or on the certification and signature page, constitutes an offer to the State that cannot be unilaterally withdrawn, signifies that the product or service proposed by vendor meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise indicated, and signifies acceptance of the terms and conditions contained in the Solicitation unless otherwise indicated.

12. PRICING: The pricing set forth herein is firm for the life of the Contract, unless specified elsewhere within this Solicitation/Contract by the State. A Vendor's inclusion of price adjustment provisions in its bid, without an express authorization from the State in the Solicitation to do so, may result in bid disqualification.

13. PAYMENT: Payment in advance is prohibited under this Contract. Payment may only be made after the delivery and acceptance of goods or services. The Vendor shall submit invoices, in arrears.

14. PURCHASING CARD ACCEPTANCE: The State of West Virginia currently utilizes a Purchasing Card program, administered under contract by a banking institution, to process payment for goods and services. The Vendor must accept the State of West Virginia's Purchasing Card for payment of all orders under this Contract unless the box below is checked.

Vendor is not required to accept the State of West Virginia's Purchasing Card as payment for all goods and services.

15. TAXES: The Vendor shall pay any applicable sales, use, personal property or any other taxes arising out of this Contract and the transactions contemplated thereby. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.

16. ADDITIONAL FEES: Vendor is not permitted to charge additional fees or assess additional charges that were not either expressly provided for in the solicitation published by the State of West Virginia or included in the unit price or lump sum bid amount that Vendor is required by the solicitation to provide. Including such fees or charges as notes to the solicitation may result in rejection of vendor's bid. Requesting such fees or charges be paid after the contract has been awarded may result in cancellation of the contract.

17. FUNDING: This Contract shall continue for the term stated herein, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise made available, this Contract becomes void and of no effect beginning on July 1 of the fiscal year for which funding has not been appropriated or otherwise made available.

18. CANCELLATION: The Purchasing Division Director reserves the right to cancel this Contract immediately upon written notice to the vendor if the materials or workmanship supplied do not conform to the specifications contained in the Contract. The Purchasing Division Director may also cancel any purchase or Contract upon 30 days written notice to the Vendor in accordance with West Virginia Code of State Rules § 148-1-6.1.e.

19. TIME: Time is of the essence with regard to all matters of time and performance in this Contract.

20. APPLICABLE LAW: This Contract is governed by and interpreted under West Virginia law without giving effect to its choice of law principles. Any information provided in specification manuals, or any other source, verbal or written, which contradicts or violates the West Virginia Constitution, West Virginia Code or West Virginia Code of State Rules is void and of no effect.

21. COMPLIANCE: Vendor shall comply with all applicable federal, state, and local laws, regulations and ordinances. By submitting a bid, Vendor acknowledges that it has reviewed, understands, and will comply with all applicable laws, regulations, and ordinances.

22. ARBITRATION: Any references made to arbitration contained in this Contract, Vendor's bid, or in any American Institute of Architects documents pertaining to this Contract are hereby deleted, void, and of no effect.

23. MODIFICATIONS: This writing is the parties' final expression of intent. Notwithstanding anything contained in this Contract to the contrary no modification of this Contract shall be binding without mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any change to existing contracts that adds work or changes contract cost, and were not included in the original contract, must be approved by the Purchasing Division and the Attorney General's Office (as to form) prior to the implementation of the change or commencement of work affected by the change.

24. WAIVER: The failure of either party to insist upon a strict performance of any of the terms or provision of this Contract, or to exercise any option, right, or remedy herein contained, shall not be construed as a waiver or a relinquishment for the future of such term, provision, option, right, or remedy, but the same shall continue in full force and effect. Any waiver must be expressly stated in writing and signed by the waiving party.

25. SUBSEQUENT FORMS: The terms and conditions contained in this Contract shall supersede any and all subsequent terms and conditions which may appear on any form documents submitted by Vendor to the Agency or Purchasing Division such as price lists, order forms, invoices, sales agreements, or maintenance agreements, and includes internet websites or other electronic documents. Acceptance or use of Vendor's forms does not constitute acceptance of the terms and conditions contained thereon.

26. ASSIGNMENT: Neither this Contract nor any monies due, or to become due hereunder, may be assigned by the Vendor without the express written consent of the Agency, the Purchasing Division, the Attorney General's office (as to form only), and any other government agency or office that may be required to approve such assignments. Notwithstanding the foregoing, Purchasing Division approval may or may not be required on certain agency delegated or exempt purchases.

27. WARRANTY: The Vendor expressly warrants that the goods and/or services covered by this Contract will: (a) conform to the specifications, drawings, samples, or other description furnished or specified by the Agency; (b) be merchantable and fit for the purpose intended; and (c) be free from defect in material and workmanship.

28. STATE EMPLOYEES: State employees are not permitted to utilize this Contract for personal use and the Vendor is prohibited from permitting or facilitating the same.

29. BANKRUPTCY: In the event the Vendor files for bankruptcy protection, the State of West Virginia may deem this Contract null and void, and terminate this Contract without notice.

30. PRIVACY, SECURITY, AND CONFIDENTIALITY: The Vendor agrees that it will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the Agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the Agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/default.html>.

31. YOUR SUBMISSION IS A PUBLIC DOCUMENT: Vendor's entire response to the Solicitation and the resulting Contract are public documents. As public documents, they will be disclosed to the public following the bid/proposal opening or award of the contract, as required by the competitive bidding laws of West Virginia Code §§ 5A-3-1 et seq., 5-22-1 et seq., and 5G-1-1 et seq. and the Freedom of Information Act West Virginia Code §§ 29B-1-1 et seq.

DO NOT SUBMIT MATERIAL YOU CONSIDER TO BE CONFIDENTIAL, A TRADE SECRET, OR OTHERWISE NOT SUBJECT TO PUBLIC DISCLOSURE.

Submission of any bid, proposal, or other document to the Purchasing Division constitutes your explicit consent to the subsequent public disclosure of the bid, proposal, or document. The Purchasing Division will disclose any document labeled "confidential," "proprietary," "trade secret," "private," or labeled with any other claim against public disclosure of the documents, to include any "trade secrets" as defined by West Virginia Code § 47-22-1 et seq. All submissions are subject to public disclosure without notice.

32. LICENSING: In accordance with West Virginia Code of State Rules § 148-1-6.1.e, Vendor must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agency or political subdivision. Upon request, the Vendor must provide all necessary releases to obtain information to enable the Purchasing Division Director or the Agency to verify that the Vendor is licensed and in good standing with the above entities.

33. ANTITRUST: In submitting a bid to, signing a contract with, or accepting a Award Document from any agency of the State of West Virginia, the Vendor agrees to convey, sell, assign, or transfer to the State of West Virginia all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to Vendor.

34. VENDOR CERTIFICATIONS: By signing its bid or entering into this Contract, Vendor certifies (1) that its bid or offer was made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, person or entity submitting a bid or offer for the same material, supplies, equipment or services; (2) that its bid or offer is in all respects fair and without collusion or fraud; (3) that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; and (4) that it has reviewed this Solicitation in its entirety; understands the requirements, terms and conditions, and other information contained herein.

Vendor's signature on its bid or offer also affirms that neither it nor its representatives have any interest, nor shall acquire any interest, direct or indirect, which would compromise the performance of its services hereunder. Any such interests shall be promptly presented in detail to the Agency. The individual signing this bid or offer on behalf of Vendor certifies that he or she is authorized by the Vendor to execute this bid or offer or any documents related thereto on Vendor's behalf; that he or she is authorized to bind the Vendor in a contractual relationship; and that, to the best of his or her knowledge, the Vendor has properly registered with any State agency that may require registration.

35. VENDOR RELATIONSHIP: The relationship of the Vendor to the State shall be that of an independent contractor and no principal-agent relationship or employer-employee relationship is contemplated or created by this Contract. The Vendor as an independent contractor is solely liable for the acts and omissions of its employees and agents. Vendor shall be responsible for selecting, supervising, and compensating any and all individuals employed pursuant to the terms of this Solicitation and resulting contract. Neither the Vendor, nor any employees or subcontractors of the Vendor, shall be deemed to be employees of the State for any purpose whatsoever. Vendor shall be exclusively responsible for payment of employees and contractors for all wages and salaries, taxes, withholding payments, penalties, fees, fringe benefits, professional liability insurance premiums, contributions to insurance and pension, or other deferred compensation plans, including but not limited to, Workers' Compensation and Social Security obligations, licensing fees, etc. and the filing of all necessary documents, forms, and returns pertinent to all of the foregoing.

Vendor shall hold harmless the State, and shall provide the State and Agency with a defense against any and all claims including, but not limited to, the foregoing payments, withholdings, contributions, taxes, Social Security taxes, and employer income tax returns.

36. INDEMNIFICATION: The Vendor agrees to indemnify, defend, and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person, or firm performing or supplying services, materials, or supplies in connection with the performance of the Contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use, or disposition of any data used under the Contract in a manner not authorized by the Contract, or by Federal or State statutes or regulations; and (3) Any failure of the Vendor, its officers, employees, or subcontractors to observe State and Federal laws including, but not limited to, labor and wage and hour laws.

37. PURCHASING AFFIDAVIT: In accordance with West Virginia Code § 5A-3-10a, all Vendors are required to sign, notarize, and submit the Purchasing Affidavit stating that neither the Vendor nor a related party owe a debt to the State in excess of \$1,000. The affidavit must be submitted prior to award, but should be submitted with the Vendor's bid. A copy of the Purchasing Affidavit is included herewith.

38. ADDITIONAL AGENCY AND LOCAL GOVERNMENT USE: This Contract may be utilized by other agencies, spending units, and political subdivisions of the State of West Virginia; county, municipal, and other local government bodies; and school districts ("Other Government Entities"). Any extension of this Contract to the aforementioned Other Government Entities must be on the same prices, terms, and conditions as those offered and agreed to in this Contract, provided that such extension is in compliance with the applicable laws, rules, and ordinances of the Other Government Entity. If the Vendor does not wish to extend the prices, terms, and conditions of its bid and subsequent contract to the Other Government Entities, the Vendor must clearly indicate such refusal in its bid. A refusal to extend this Contract to the Other Government Entities shall not impact or influence the award of this Contract in any manner.

39. CONFLICT OF INTEREST: Vendor, its officers or members or employees, shall not presently have or acquire an interest, direct or indirect, which would conflict with or compromise the performance of its obligations hereunder. Vendor shall periodically inquire of its officers, members and employees to ensure that a conflict of interest does not arise. Any conflict of interest discovered shall be promptly presented in detail to the Agency.

40. REPORTS: Vendor shall provide the Agency and/or the Purchasing Division with the following reports identified by a checked box below:

Such reports as the Agency and/or the Purchasing Division may request. Requested reports may include, but are not limited to, quantities purchased, agencies utilizing the contract, total contract expenditures by agency, etc.

Quarterly reports detailing the total quantity of purchases in units and dollars, along with a listing of purchases by agency. Quarterly reports should be delivered to the Purchasing Division via email at purchasing.requisitions@wv.gov.

41. BACKGROUND CHECK: In accordance with W. Va. Code § 15-2D-3, the Director of the Division of Protective Services shall require any service provider whose employees are regularly employed on the grounds or in the buildings of the Capitol complex or who have access to sensitive or critical information to submit to a fingerprint-based state and federal background inquiry through the state repository. The service provider is responsible for any costs associated with the fingerprint-based state and federal background inquiry.

After the contract for such services has been approved, but before any such employees are permitted to be on the grounds or in the buildings of the Capitol complex or have access to sensitive or critical information, the service provider shall submit a list of all persons who will be physically present and working at the Capitol complex to the Director of the Division of Protective Services for purposes of verifying compliance with this provision. The State reserves the right to prohibit a service provider's employees from accessing sensitive or critical information or to be present at the Capitol complex based upon results addressed from a criminal background check.

Service providers should contact the West Virginia Division of Protective Services by phone at (304) 558-9911 for more information.

42. PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS: Except when authorized by the Director of the Purchasing Division pursuant to W. Va. Code § 5A-3-56, no contractor may use or supply steel products for a State Contract Project other than those steel products made in the United States. A contractor who uses steel products in violation of this section may be subject to civil penalties pursuant to W. Va. Code § 5A-3-56. As used in this section:

- a. "State Contract Project" means any erection or construction of, or any addition to, alteration of or other improvement to any building or structure, including, but not limited to, roads or highways, or the installation of any heating or cooling or ventilating plants or other equipment, or the supply of and materials for such projects, pursuant to a contract with the State of West Virginia for which bids were solicited on or after June 6, 2001.
- b. "Steel Products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated or otherwise similarly processed, or processed by a combination of two or more or such operations, from steel made by the open heath, basic oxygen, electric furnace, Bessemer or other steel making process. The Purchasing Division Director may, in writing, authorize the use of foreign steel products if:
- c. The cost for each contract item used does not exceed one tenth of one percent (.1%) of the total contract cost or two thousand five hundred dollars (\$2,500.00), whichever is greater. For the purposes of this section, the cost is the value of the steel product as delivered to the project; or
- d. The Director of the Purchasing Division determines that specified steel materials are not produced in the United States in sufficient quantity or otherwise are not reasonably available to meet contract requirements.

43. PREFERENCE FOR USE OF DOMESTIC ALUMINUM, GLASS, AND STEEL: In Accordance with W. Va. Code § 5-19-1 et seq., and W. Va. CSR § 148-10-1 et seq., for every contract or subcontract, subject to the limitations contained herein, for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or for the purchase of any item of machinery or equipment to be used at sites of public works, only domestic aluminum, glass or steel products shall be supplied unless the spending officer determines, in writing, after the receipt of offers or bids, (1) that the cost of domestic aluminum, glass or steel products is unreasonable or inconsistent with the public interest of the State of West Virginia, (2) that domestic aluminum, glass or steel products are not produced in sufficient quantities to meet the contract requirements, or (3) the available domestic aluminum, glass, or steel do not meet the contract specifications. This provision only applies to public works contracts awarded in an amount more than fifty thousand dollars (\$50,000) or public works contracts that require more than ten thousand pounds of steel products.

The cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than twenty percent (20%) of the bid or offered price for foreign made aluminum, glass, or steel products. If the domestic aluminum, glass or steel products to be supplied or produced in a "substantial labor surplus area", as defined by the United States Department of Labor, the cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than thirty percent (30%) of the bid or offered price for foreign made aluminum, glass, or steel products. This preference shall be applied to an item of machinery or equipment, as indicated above, when the item is a single unit of equipment or machinery manufactured primarily of aluminum, glass or steel, is part of a public works contract and has the sole purpose or of being a permanent part of a single public works project. This provision does not apply to equipment or machinery purchased by a spending unit for use by that spending unit and not as part of a single public works project.

All bids and offers including domestic aluminum, glass or steel products that exceed bid or offer prices including foreign aluminum, glass or steel products after application of the preferences provided in this provision may be reduced to a price equal to or lower than the lowest bid or offer price for foreign aluminum, glass or steel products plus the applicable preference. If the reduced bid or offer prices are made in writing and supersede the prior bid or offer prices, all bids or offers, including the reduced bid or offer prices, will be reevaluated in accordance with this rule.

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Ellen Cutler, President
(Name, Title)
Ellen Cutler, President
(Printed Name and Title)
3409-A West Wendover Avenue, Greensboro, NC 27407
(Address)
(336) 852-6902 (phone) (336) 299-0110 (fax)
(Phone Number) / (Fax Number)
ecuttlere@lesl.com
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Law Enforcement Services, Inc.
(Company)
Ellen Cutler, President
(Authorized Signature) (Representative Name, Title)
Ellen Cutler, President
(Printed Name and Title of Authorized Representative)
June 10, 2016
(Date)
(336) 852-6902 (phone) (336) 299-0110 (fax)
(Phone Number) (Fax Number)

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SPECIFICATIONS

1. **PURPOSE AND SCOPE:** The West Virginia Purchasing Division is soliciting bids on behalf of the West Virginia State Police to establish an open-end contract for an integrated suitability assessment system to support screening and selection of applicants to the West Virginia State Police Trooper position.

2. **DEFINITIONS:** The terms listed below shall have the meanings assigned to them below. Additional definitions can be found in section 2 of the General Terms and Conditions.
 - 2.1 **“Contract Item” or “Contract Items”** means the list of items identified in Section 3.1 below and on the Pricing Pages.

 - 2.2 **“Pricing Pages”** means the schedule of prices, estimated order quantity, and totals contained in wvOASIS or attached hereto as Exhibit A, and used to evaluate the Solicitation responses.

 - 2.3 **“Solicitation”** means the official notice of an opportunity to supply the State with goods or services that is published by the Purchasing Division.

3. **GENERAL REQUIREMENTS:**
 - 3.1 **Contract Items and Mandatory Requirements:** Vendor shall provide Agency with the Contract Items listed below on an open-end and continuing basis. Contract Items must meet or exceed the mandatory requirements as shown below.

3.1.1 Contract Item #1 - Suitability Assessment System

Specifications:

This system must have direct usefulness to our existing selection processes including background and personal history investigation, as well as assessment of the relevant cognitive, educational and inter-personal abilities necessary to perform critical job components and duties of this position. The system must assess suitability to complete training and subsequently, perform the duties of a West Virginia State Trooper as well as gather, organize and evaluate applicant background and personal history information for use in our background investigation and review process.

Phase #1

Report #1 – Comprehensive Compilation -The vendor will use a pre-conditional offer of employment personal history/background questionnaire. This questionnaire provides for the collection of detailed personal history/background information on law enforcement

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applicants. The questionnaire must be able to be completed on-line, over the Internet and administered through a secure site under the control of the vendor. Vendor must have a fully developed production on-line questionnaire with a history of significant utilization in support of law enforcement employment selection processes. Newly developed and/or "beta" versions without a history of sustained viability may not be considered. Evidence of vendor experience and the use of the on-line questionnaire should be provided with bid, however it will be required before award. This is to be within the Agency's required timeframe which would be upon notification to the vendor of an expected screening and selection process of applicants for WV State Trooper. The following scores and reports are necessary to support our selection process:

- A. For each applicant, a set of detailed reports derived from personal history must be provided to include:
1. Background Investigators report of a comprehensive compilation of the applicant's personal life history. The data must be organized into sections as follows:
 - SECTION 1 – Identifying information: Contains name and SSN.

 - SECTION 2 – Detailed information regarding residences, parents and siblings and drivers license information.

 - SECTION 3 – Educational history

 - SECTION 4 – Detailed employment history for the past 10 years. This section must include:
Basic descriptive information (name, address, telephone number of employer, dates of employment, description of duties, supervisor name, reason for leaving place(s) of employment.

Performance and/or disciplinary incidents.

 - SECTION 5 – Military History – Dates of service, rank progression, disciplinary history, discharge status.

 - SECTION 6 – Marital Status, Family Information, Information regarding marriage, children.

 - SECTION 7 – Legal. This section must contain a history of infractions, arrests, integrity violations and civil actions as well as dispositions.

 - SECTION 8 – Substance Abuse – History of use of illegal substances and description of current use of legal substances.

 - SECTION 9 – Applications to other agencies (include dates of application and disposition).

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SECTION 10 – Other legal incidents; includes incidents of domestic violence.

Phase #1

Report #2 Life Events Report - This must include a summarization of the information described above to be used by background investigators and reviewers to identify pertinent issues prior to conducting their interview. The report must organize pertinent data into “life events” identified by background investigators as germane to evaluating applicant personal history. The life event report must include a “begin and end date” for each event(s) in question and as well as the frequency of these events (if applicable).

Phase #1

Report #3 Critical Items Report - This report analyzes life event data and identifies critical items and negative indicators used to focus background investigation review as well as to generate specific risk scores used to assess applicant suitability. Critical items and negative indicators are further defined below:

- **Critical Items:** Are items, which have been directly linked, through published researched, to specific job outcomes in law enforcement.
- **Negative Indicators:** Are items, which although linked to negative outcome by subject matter have not been completely empirically validated and, as such are identified as items for investigator follow up.

Phase #1

Report #4 Bio Data Summary - This report must contain a listing of the various bio data indices as well as an overall risk rating for each applicant’s background.

Phase #1

Report #5 Discrepancy Report - This report must contain discrepancies that are identified when the applicant’s responses are compared to previous applications to the West Virginia State Police and/or other law enforcement agencies in the vendor’s proprietary data base.

Phase #1

Report #6 Initial Eligibility List - An initial eligibility list, rank ordering applicants in terms of overall suitability for initial referral subsequent selection stages in terms of both suitability and selection efficiency, must be available within 1 week of test administration.

Phase #1

Report #7 Screening Reports - Screening reports documenting and detailing life history, cognitive ability/educational achievement and interpersonal ability scores into a single suitability prediction. The report must also include specific findings in each of these areas for use by interviewers and background reviewers.

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Similar to 1 above, documentation of selection ratios with reference to specific groups must be congruent with the characteristics of the West Virginia State Police applicants screened in the past 10 years in terms of size (of applicant pool), demographics, and initial qualifications. The critical performance attributes of the target job must also be congruent with the duties of a West Virginia State Trooper as defined by occupational analysis. The results must include no less than 500 applicants and no more than 10 years of past history. The results cited must also relate only to the specific instruments/process proposed.

3. Necessary documentation, training and supervision to the West Virginia State Police Personnel Director for administration of assessment instruments must be provided. This should be ongoing training and supervision as needed. Similarly, a program for follow up consultation and decision making support must be provided. Finally, the proposal must include an ongoing program for validation of suitability predictions as well as evaluations of the effectiveness of the screening program as compared to previous academy training yields and initial job performance of graduates.
 - B. Sample reports (life history reports, screening reports, comprehensive suitability report) and description of scoring scheme.
 - C. Cost of ancillary and/or support services (ongoing validation and effectiveness evaluation: training and decision making support)
 - D. Qualifications of Vendor and/or Vendor's Staff or other individuals who would perform the professional and artistic services. These are to be submitted with the bid.
 - i. Description of Company and Services
 - ii. Qualifications of principal service providers. Include education and professional license information for all proposed service providers. Indicate if these providers are full time employees or subcontractors.
 - iii. List of contracts and references including the number of similar assessments performed for and each referenced client and the dates that these services were provided.
 - iv. Description of published, peer reviewed, research based on the data and/or processes to be utilized in this project

Screening Report Specification

A report documenting and detailing life history, cognitive ability/educational achievement and interpersonal scores into a single suitability prediction.

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- The report must also include specific findings in each of these areas for use by interviewers and background reviewers.
- These reports must be available within 3 working days of completion of assessment process.
- Must be able to be transmitted in secure electronic format.
- This report must combine life history and bio-data information collected by the pre-conditional offer of employment, personal history/background questionnaire with results of psychometric test (cognitive, educational and personality/interactive abilities) into a single document.
- This comprehensive report must integrate data from not less than three domains.
 1. Cognitive Ability/Educational Potential
 2. Background/Life History
 3. Interactive/Interpersonal Abilities

This report must place applicants into a suitable category:

Category 1: Minimum standards are met. While a minor negative indication may exist, testing shows that the candidate should satisfactorily complete the application process and should have satisfactory job performance.

Category 2: Numerous minor negative factors are indicated in testing. While the candidate may be suitable, performance is likely to be marginal.

Category 3: Major contra-indication is suggested by the testing. There is a significant likelihood that the candidate will not successfully complete the application process, training and/or will perform unsatisfactorily.

- Within each category, this report must identify indicators within specific areas,

Background
Intelligence
Education
Work History
Personality
Honesty & Integrity

- This report must also contain specific “on the job: performance predictions. These predictions must be based on published research and compare each applicant’s bio-data and psychometric test scores to the vendor’s research database. Based on this information, this report must predict the probability of the following outcomes:

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- Selection Process Success-passing all stages of the typical law enforcement employment process (aptitude, oral board, background, suitability and being placed on an eligibility list).
- Completion of Training and/or Probation-selected from eligibility list, employed successfully completing academy and field training, remaining employed 12 months (subsequent to training) without significant performance problems.
- Disciplinary Action/Job Dysfunction-experienced disciplinary action (multiple reprimands, brief suspensions, terminations) for specific job related infractions such as lateness, attendance, conduct, integrity, use of force.

4. CONTRACT AWARD:

- 4.1 Contract Award:** The Contract is intended to provide Agencies with a purchase price on all Contract Items. The Contract shall be awarded to the Vendor that provides the Contract Items meeting the required specifications for the lowest overall total cost as shown on the Pricing Pages.
- 4.2 Pricing Pages:** Vendor should complete the Pricing Pages by filling in Unit Price, Extended Price, the Total and the vendor information. Vendor should complete the Pricing Pages in their entirety as failure to do so may result in Vendor's bids being disqualified.

The Pricing Pages contain a list of the Contract Items and estimated purchase volume. The estimated purchase volume for each item represents the approximate volume of anticipated purchases only. No future use of the Contract or any individual item is guaranteed or implied.

Vendor should electronically enter the information into the Pricing Pages through wvOASIS, if available, or as an electronic document.

5. ORDERING AND PAYMENT:

- 5.1 Ordering:** Vendor shall accept orders through wvOASIS, regular mail, facsimile, e-mail, or any other written form of communication. Vendor may, but is not required to, accept on-line orders through a secure internet ordering portal/website. If Vendor has the ability to accept on-line orders, it should include in its response a brief description of how Agencies may utilize the on-line ordering system. Vendor shall ensure that its on-line ordering system is properly secured prior to processing Agency orders on-line.

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- 5.2 Payment:** Vendor shall accept payment in accordance with the payment procedures of the State of West Virginia.

6. DELIVERY AND RETURN:

- 6.1 Delivery Time:** Vendor shall deliver standard orders on a schedule to be worked out with the WV State Police. Vendor shall deliver emergency orders on a schedule to be worked out with the WV State Police. Vendor shall ship all orders in accordance with the above schedule and shall not hold orders until a minimum delivery quantity is met.
- 6.2 Late Delivery:** The Agency placing the order under this Contract must be notified in writing if orders will be delayed for any reason. Any delay in delivery that could cause harm to an Agency will be grounds for cancellation of the delayed order, and/or obtaining the items ordered from a third party.

Any Agency seeking to obtain items from a third party under this provision must first obtain approval of the Purchasing Division.

- 6.3 Delivery Payment/Risk of Loss:** Standard order delivery shall be F.O.B. destination to the Agency's location. Vendor shall include the cost of standard order delivery charges in its bid pricing/discount and is not permitted to charge the Agency separately for such delivery. The Agency will pay delivery charges on all emergency orders provided that Vendor invoices those delivery costs as a separate charge with the original freight bill attached to the invoice.
- 6.4 Return of Unacceptable Items:** If the Agency deems the Contract Items to be unacceptable, the Contract Items shall be returned to Vendor at Vendor's expense and with no restocking charge. Vendor shall either make arrangements for the return within five (5) days of being notified that items are unacceptable, or permit the Agency to arrange for the return and reimburse Agency for delivery expenses. If the original packaging cannot be utilized for the return, Vendor will supply the Agency with appropriate return packaging upon request. All returns of unacceptable items shall be F.O.B. the Agency's location. The returned product shall either be replaced, or the Agency shall receive a full credit or refund for the purchase price, at the Agency's discretion.

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6.5 Return Due to Agency Error: Items ordered in error by the Agency will be returned for credit within 30 days of receipt, F.O.B. Vendor's location. Vendor shall not charge a restocking fee if returned products are in a resalable condition. Items shall be deemed to be in a resalable condition if they are unused and in the original packaging. Any restocking fee for items not in a resalable condition shall be the lower of the Vendor's customary restocking fee or 5% of the total invoiced value of the returned items.

7. VENDOR DEFAULT:

7.1 The following shall be considered a vendor default under this Contract.

- 7.1.1 Failure to provide Contract Items in accordance with the requirements contained herein.
- 7.1.2 Failure to comply with other specifications and requirements contained herein.
- 7.1.3 Failure to comply with any laws, rules, and ordinances applicable to the Contract Services provided under this Contract.
- 7.1.4 Failure to remedy deficient performance upon request.

7.2 The following remedies shall be available to Agency upon default.

- 7.2.1 Immediate cancellation of the Contract.
- 7.2.2 Immediate cancellation of one or more release orders issued under this Contract.
- 7.2.3 Any other remedies available in law or equity.

8. MISCELLANEOUS:

- 8.1 No Substitutions:** Vendor shall supply only Contract Items submitted in response to the Solicitation unless a contract modification is approved in accordance with the provisions contained in this Contract.
- 8.2 Vendor Supply:** Vendor must carry sufficient inventory of the Contract Items being offered to fulfill its obligations under this Contract. By signing its bid, Vendor certifies that it can supply the Contract Items contained in its bid response.

REQUEST FOR QUOTATION
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- 8.3 Reports:** Vendor shall provide quarterly reports and annual summaries to the Agency showing the Agency's items purchased, quantities of items purchased, and total dollar value of the items purchased. Vendor shall also provide reports, upon request, showing the items purchased during the term of this Contract, the quantity purchased for each of those items, and the total value of purchases for each of those items. Failure to supply such reports may be grounds for cancellation of this Contract.
- 8.4 Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Ellen Cuttler
Telephone Number: (336) 852-6902
Fax Number: (336) 299-0110
Email Address: ecuttler@lcsi.com

State of West Virginia
VENDOR PREFERENCE CERTIFICATE

Certification and application is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Vendor Preference, if applicable.

1. **Application is made for 2.5% vendor preference for the reason checked:**
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification;
 Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; **or**,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; **or**,
2. **Application is made for 2.5% vendor preference for the reason checked:**
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,
3. **Application is made for 2.5% vendor preference for the reason checked:**
 Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; **or**,
4. **Application is made for 5% vendor preference for the reason checked:**
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or**,
5. **Application is made for 3.5% vendor preference who is a veteran for the reason checked:**
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or**,
6. **Application is made for 3.5% vendor preference who is a veteran for the reason checked:**
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
7. **Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.**
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned-business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) rescind the contract or purchase order; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: _____ Signed: _____
Date: _____ Title: _____

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

State of West Virginia
VENDOR PREFERENCE CERTIFICATE

Does not apply

Certification and application is hereby made for Preference in accordance with **West Virginia Code**, §5A-3-37. (Does not apply to construction contracts). **West Virginia Code**, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the **West Virginia Code**. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Vendor Preference, if applicable.

1. Application is made for 2.5% vendor preference for the reason checked:

- Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
- Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification;
- Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; **or**,
- Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; **or**,

2. Application is made for 2.5% vendor preference for the reason checked:

- Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,

3. Application is made for 2.5% vendor preference for the reason checked:

- Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; **or**,

4. Application is made for 5% vendor preference for the reason checked:

- Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or**,

5. Application is made for 3.5% vendor preference who is a veteran for the reason checked:

- Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or**,

6. Application is made for 3.5% vendor preference who is a veteran for the reason checked:

- Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.

- Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) rescind the contract or purchase order; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Law Enforcement Services, Inc. Signed: *Gene Cuth*
Date: June 10th, 2016 Title: President

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

Exhibit 1

These exhibits contain proprietary confidential information which should not be photocopied, distributed, nor included in any public release or for any purpose other than the evaluation of this quote (DPS1600000008).

In this regard, please note that public disclosure of this information would violate the ethical principles and professional conduct guidelines published by the American Psychological Association as well as the Code of Fair Testing Practices and the Standards for Educational and Psychological Testing published by the Joint Committee on Testing Practices of the American Educational Research Association.

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Law Enforcement Services, Inc.
Greensboro, NC

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MULTI-DOMAIN ASSESSMENT PROCESS

US Patent #7,346,541

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SUMMARY OF INSTRUMENTS

LESI[®] Multi-domain PRE-EMPLOYMENT ASSESSMENT *

TEST	MEASURES	REPORT ADDRESSES
onlinePHQ [®]	Background and Personal History	<ul style="list-style-type: none"> ● Indications of work related problems and/or negative background indicators ● Compare current data with historical data (if applicable)
WONDERLIC & ESI	General Intellectual Ability and Educational Achievement	<ul style="list-style-type: none"> ● Ability to complete training ● Ability to complete written reports ● Ability to concentrate under stress and time pressure
CPI	Interactive/Interpersonal Abilities	<ul style="list-style-type: none"> ● Probability of effectiveness in a criminal justice position ● Specific job performance predictors: lateness; absenteeism; disciplinary action; termination within first year
onlinePHQ [®] Wonderlic ESI CPI	Personal History Questionnaire Wonderlic Personnel Test Education Skills Inventory California Psychological Inventory	

***Data from all instruments is extracted and combined to calculate the LESI Multi-domain prediction equations; a series of independent actuarial predictions of specific negative job outcomes.**

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MULTI-DOMAIN PRELIMINARY SCREENER

The **Multi-domain Preliminary Screener** was developed to be used in the very earliest stages of the hiring process and in conjunction with other assessment tools, i.e., polygraph, basic agility test, etc. The **Multi-domain Preliminary Screener** briefly addresses findings in three performance rating areas, assigns the general level of suitability and identifies negative indicators.

PERFORMANCE RATING AREAS:

Three (3) rating areas are briefly addressed in the Multi-domain Preliminary Screener. They are:

Intellectual Ability/Educational achievement (Domain 1)

- How does the candidate compare to applicants and incumbents in other agencies?
- What is the likelihood of successful completion of training and (if previously certified) his/her ability to accurately complete written reports, etc.?
- Is the performance on cognitive tests consistent with the reported level of educational achievement?

Background (Domain 2)

- What positive and negative indicators can be identified in the applicant's background and personal history?

Interactive Abilities and Interpersonal Skills Abilities (Domain 3)

- Is the applicant able to function responsibly within the parameters of his/her authority?
- Do the applicant's personality characteristics compare favorably with effective officers?

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MULTI-DOMAIN PRELIMINARY SCREENER (continued)

GENERAL LEVELS OF SUITABILITY:

The Multi-domain Preliminary Screener identifies the candidate's general level of suitability within the applicant pool. Based on their backgrounds and test responses, candidates are classified into one of the following three (3) categories:

Category 3 – Essentially Suitable

Minimum standards are met. Although a minor negative indication may exist, testing indicates that this candidate has a reasonable probability of satisfactory completion of the employment process as well as satisfactory on the job performance. Proceed with background investigation, initial interview, etc.

Category 2- Borderline Suitability

A number of minor negative factors are suggested in the testing. Although this candidate may be suitable, performance is likely to be marginal, at best. Caution is indicated when considering this candidate. Further investigation is likely to identify disqualifying factors.

Category 1- Likely to be Unsuitable

A major contra-indication is suggested by the testing (eg. severe educational deficit, emotional disorder, etc.). There is a substantial likelihood that this candidate will not successfully complete the employment process, fail to complete training, and/or will perform unsatisfactorily.

Past experience indicates that the Multi-domain Preliminary Screener will identify approximately 12% of the applicants as unsuitable (Category 1), approximately 33% as having several minor contra-indications (Category 2), and approximately 55% as meeting minimum standards (Category 3, including negative indicators.)

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MULTI-DOMAIN PRELIMINARY SCREENER (continued)

NEGATIVE INDICATORS:

In addition to the category of suitability, negative indicators are identified. To specify the type of negative indicator the following codes are used

A = Background
 B = Intellectual
 E = Personality
 X = Invalid profile

These codes are listed in order of importance on the report.

The Multi-domain Preliminary Screener can be used by background investigators to "focus" their investigation. In this regard, material may be quickly developed that would allow the "abbreviation" of an applicant's candidacy, thus maximizing Agency resources to pursue more suitable candidates and capitalize on the cost effectiveness of the process. Eliminating even 10% of the applicant pool prior to committing Agency funds for background investigations, medical and comprehensive psychological examinations translates into substantial financial savings. In addition, the more suitable applicants can be quickly identified and hastened along in the hiring process.

Adverse impact has been continually monitored. The minority "selection ratio" has ranged from .70 to .94 since 1989. (The "selection ratio" is the ratio of successful minorities to successful whites). These findings have been examined by a number of independent evaluators, most notably the Commission on Accreditation of Law Enforcement Agencies (CALEA).

It is important to remember that the Multi-domain Preliminary Screener does not certify fitness for duty or allow the candidates to be compared against each other within categories (i.e. all "3's" are equal, all "3e's" are equal, etc.)

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Description/Organization

onlinePHQ[®] Reports

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onlinePHQ[®] Reports

The following five (5) reports are generated by LESI[®] (Law Enforcement Services, Inc.) for each applicant who has completed onlinePHQ. These reports are based upon the information that the applicant has provided when completing onlinePHQ[®]. They include:

1. Bio data Summary
2. Critical Items Report
3. Life Events Report
4. Background Investigator's Report
5. Discrepancy Report (if applicable)

1. The **Bio-data Summary** contains a listing of the bio-data indices as well as the overall risk rating for each applicant. These indices are derived from the life events reported by the applicant. The bio-data summary is a negative index: higher scores indicate more negative critical items, lower scores less critical items.

2. The **Critical Items Report** specifically targets negative areas of the applicant's background, once again, based on the information provided by the applicant. The report includes the following:

- a. **Critical Items:** Items that have been directly linked, through research, to specific negative job outcomes in law enforcement.
- b. **Negative indicators:** Items that, although linked to negative outcomes, have not as yet been empirically validated (they are not used to calculate the bio-data indices that make the predictions). Nonetheless, they are identified as items for follow up.

3. The **Life Events Report** is a highly organized, compilation of applicant information. The data is organized into "life events". (life events and their weights are used to calculate the bio-data indices.) The LER serves as a "snapshot" of the applicant's background, quickly identifying critical information for use during the applicant interview as well during the investigation itself.

4. The **Background Investigator's Report** contains the entire set of questions and answers provided by the applicant. This is the same information found in the Verification Report. Once the applicant completes onlinePHQ, the applicant prints a copy of all the information submitted, as well as signs and attests to the truthfulness of the data. This report, the Verification Report, is sent to LESI[®] and held as a source document.

It is important to note that when completing the questionnaire, the applicant cannot scroll through the form to see what questions are coming next. Questions must be answered in the order that they appear, section by section. In addition, when completing the onlinePHQ[®], the applicant must fill out required information in a specified way that does not allow the applicant to change or refer to questions previously answered. OnlinePHQ[®] has been developed to make it difficult for the applicant to provide vague or deceptive answers while entering their information, thus enhancing the accuracy and truthfulness of the data.

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onlinePHQ® Reports (con't)

Organization of the Background Investigator's Report

The following is a description of the organization of the **Background Investigator's Report (BIR)**. The "BIR" is the comprehensive compilation of the applicant's responses to all relevant questions in the PHQ. This is the primary document to which investigators should refer to obtain detail about items noted on all the other reports. The data is organized into sections as follows:

Section 1 – Identifying information

Contains name, SSN, etc.

Section 2 – Additional identifying information

Contains detailed information regarding residences, parents and siblings, driver's license information, etc.

Section 3 – Education

Contains all educational information provided by the applicant. Subsections are numbered accordingly (3.1 "overview"; 3.2 Associates, etc.).

Note: irrelevant sections will not appear on the report. Therefore, if a person does not have a particular degree, the section numbers might progress from 3.2 (Associates Degree) to 3.6 (Police training) without printing 3.3, 3.4, 3.5, etc.

Section 4 – Employment history for the past 10 years

Each position is followed by a sub number (position 1 = 4.1, position 2 = 4.2, etc.) Basic descriptive information is listed under 4.x.1; Performance and/or disciplinary incidents are listed under 4.x.2; for criminal justice positions, specific disciplinary detail is listed under 4.x.3.

Note: Occasionally, applicants fail to provide 10 years of employment history as required. In the case of younger applicants, this may be appropriate. However, this is considered a negative indicator if the applicant is over age 25 (and so listed on the critical items report). Background investigators should be aware that all applicants who fail to provide 10 years of employment are so warned and required to confirm this fact prior to continuing with the questionnaire. Explanations such as "I wasn't aware of that" and/or "I forgot", etc.; should be very carefully investigated.

Section 5 – Military History

Only applicants who indicate a history of service will complete these questions.

Section 6 – Marital status, Family information

Contains information regarding marriage, children, etc.

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onlinePHQ® Reports (con't)

Organization of the Background Investigator's Report (con't)

Section 7 – Legal

This section is broken into sub-sections as follows:

- 7.1 Traffic
- 7.2 Integrity etc. (employee integrity plus civil litigation)
- 7.3 Criminal Offenses
 - 7.3.1 dispositions, probations, incarcerations, etc.
 - 7.3.2 All criminal incidents, regardless of disposition

Section 8 – Substance use

- 8.1 Tobacco and Alcohol
- 8.2. 1 Drug overview
- 8.2.2 Marijuana
- 8.2.3 Cocaine
- 8.2.4 Speed
- 8.2.5 PCP
- 8.2.6 Crack and “hard drugs”
- 8.2.7 Hallucinogens
- 8.2.8 other drugs not listed

NOTE: Section 8.2.1 (drug overview) simply asks the applicant to name those drugs with which he/she has had contact. Once this section is reviewed, confirmed and submitted by the applicant, the detailed sections are presented. These (detailed) sections do not allow the applicant to indicate no use. Investigators should consider denial of contact, particularly with explanation such as “this section was presented in error, I never had contact with this substance” with caution.

Section 9 – Applications to other agencies.

Section 10 – Other legal; includes incidents of domestic violence.

Section 11 – Additional comments, explanations, and clarifications; This section contains comments and corrections made by the applicant after reviewing their verification report. Background investigators should make note of these comments prior to interviewing and/or evaluating this data. In order to preserve data integrity, the corrections listed by the applicant will not be applied to our permanent database until the conclusion of the background investigation.

5. The **Discrepancy Report** contains discrepancies that are identified when historical data is compared to current data using the LESI® national database of law enforcement/public safety applicants.

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Exhibit 2

These exhibits contain proprietary confidential information which should not be photocopied, distributed, nor included in any public release or for any purpose other than the evaluation of this quote (DPS1600000008).

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Comprehensive Suitability Evaluation by LESI® **Description of Psychological Test Instruments and Processes***

The following tests comprise the LESI® assessment battery:

The **LESI® Online PHQ®** is a standardized history questionnaire presented in electronic format. It is used to derive investigative hypotheses and biodata (life history) values upon which our performance predictions are based. This personal history questionnaire utilizes a unique data structure (patent pending) to store, organize and analyze complex life history information, allowing LESI® to produce very detailed, well organized and accurate reports for performance prediction.

The assessment test battery contains two (2) independent measures of intelligence and academic achievement. One of these tests is a timed exercise (**Wonderlic Personnel Test**) and the other is not timed (**Educational Skills Inventory Test**). The combination of these scores is used to predict the likelihood of the applicant successfully completing his/her academy training, the ability to concentrate under stress and time pressure, as well as to accurately complete written reports.

The **California Psychological Inventory (CPI)** is a frequently used and well-researched personality inventory that is incorporated within our assessment battery. In addition, our research has found that the CPI scores can be particularly useful in predicting future disciplinary action in law enforcement officers. The CPI scores also generate a "Police Effectiveness Index" which is a nationally researched predictor of future effectiveness in police officers.

The **Inwald Personality Inventory-2** is a 202 question inventory designed for assessing reliability, integrity, work ethic and other specific job related attitudes. This instrument has been specifically designed to conform to federal employment law in regard to pre-employment assessment. Its normative base includes a substantial number of LESI® applicant assessments.

Semi Structured Clinical Interview : Clinical interview conducted by a clinical psychologist experienced in police psychology/police psychologist. This interview reviews and confirms onlinePHQ® and multi-domain screening results. The interview also addresses psychological suitability, presence of psychological conditions that would impede performance as a police officer, history of treatment for psychological issues, etc.

***Data from the test instruments is extracted to calculate the LESI® Discriminant Function Analysis which is a series of actuarial equations linked to the following specific outcomes:**

- 1. background discrepancies; pre-polygraph admission(s)**
- 2. failure to complete training**
- 3. disciplinary action**

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REPORT FORMAT – Comprehensive Suitability Evaluation

The LESI® comprehensive suitability evaluation process generates a psychological assessment report based on a battery of tests, social history and individual interview. Topics covered in the assessment report include:

- Background data
- Personal impression and presence
- Intellectual characteristics
- Emotional characteristics
- Specific areas of concern
- Overall probability of success in law enforcement

The psychological assessment report includes a narrative, making reference to the above topic areas. In addition, it provides rating scores on each of three performance areas. The sum of the ratings of the three performance areas generates an overall recommendation rating by the psychologist. This allows agencies to better identify specific strengths and weaknesses of individual candidates.

Ratings in the three performance areas represent the psychologist's judgment of the applicant in regard to:

1. Intellectual ability and educational achievement: (0-5)
 - a. What is the likelihood of the applicant successfully completing the academic portions of his training?
 - b. Will the applicant be able to accurately complete written reports?
 - c. Can the applicant concentrate adequately under conditions of stress and/or time pressure?
2. Background: (0-5)
 - a. Does the applicant's background and history contain factors that are positive or negative predictors of success in criminal justice?
3. Personality and psychological adjustment: (0-5)
 - a. Is the applicant well adjusted psychologically and able to function responsibly within the parameters of his/her authority?
 - b. Does the applicant's personality characteristics compare favorably with effective officers?
 - c. Is there any indication of emotional disorder, substance abuse, stigmatization (proneness to physical illness), etc.?

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RATINGS FOR OVERALL RECOMMENDATIONS

Each of the three performance areas are rated on a 0-5 basis. The Overall Rating is the sum of the three performance area ratings. The final Overall Recommendation Rating based on a 0-15 scale, is defined below:

- 0 - 5 - Employment definitely not recommended.
- A major contra-indication is suggested (e.g. severe educational deficit, emotional disorder, etc.), potential liability and/or negligence if hired.
- 6 - Employment not recommended.
- A significant number of negative factors are suggested. Although this candidate may be suitable, future performance is likely to be marginal, at best.
- 7 - Recommendation withheld.
- A borderline candidate and although there is not sufficient psychological evidence to disqualify this candidate, his/her rating in at least one performance area is quite poor. Predicted effectiveness is marginal.
- 8 - 9 - Employment recommended.
- Minimum standards are met and although a minor negative indication may exist in one or more performance areas, this candidate has a reasonable probability of satisfactory performance, given adequate training and supervision.
- 10-12 - Employment strongly recommended.
- Minimum standards are exceeded and test results indicate a number of positive predictors for success in regard to a career in law enforcement. May have leadership ability.
- 13+ - Employment definitely recommended.
- Exceptional candidate exhibiting a significant number of positive indicators. This candidate probably has leadership ability as well as the potential to make a substantial contribution to the Department.

LESI®
Law Enforcement Services, Inc.
Greensboro, NC

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West Virginia State Police
RFQ#DPS1600000008

TO THE RECEIVING AGENCY: This is a confidential document. The contents of this document are not intended for public release and/or used for any purpose other than that described herein. This document is proprietary to LESI®. This document should not be photocopied or distributed to any other individual or agency. The physical security of this document is the responsibility of the receiving agency.

Exhibit 3

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In this regard, please note that public disclosure of this information would violate the ethical principles and professional conduct guidelines published by the American Psychological Association as well as the Code of Fair Testing Practices and the Standards for Educational and Psychological Testing published by the Joint Committee on Testing Practices of the American Educational Research Association.

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Multi-Domain Preliminary Screener Report MDS Report with onlinePHQ®

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Multi-Domain Report - Preliminary Screener

The following information has been derived from the LESI® Personal History Questionnaire and results of psychometric testing. Detailed information regarding the negative background indicators may be found in the Background Investigator's Report.

Identifying Information

John C. Smith

Agency: Elm City Police Department
Position: Police Officer
SSN: 123-45-6789
Gender: M
Date of Birth: 05/05/1972
Report Date: 02/01/2012

OnlinePHQ Case ID:	12345
OnlinePHQ Submitted:	01/27/2012
Psychometric Case ID:	6789
Psychometric Submitted:	01/25/2012

Performance Predictions (based on comparison with LESI Database)

	Discriminant Function Bio-Data/Psychometric	Classification Tree Bio-Data/Psychometric	Discriminant Function Psychometric Only	Probability
Discipline	Y	N	N	Average
Fail Training	N/A	N	N	Low

Prediction

Probability of experiencing disciplinary action (suspensions and/or terminations) within 5 years is **average**
 Probability of failing to complete training and/or probationary employment is **low**

Notes

- Interpersonal effectiveness within normal limits for suitability (see page 4)

Category

3 A, E

Essentially suitable

Essentially suitable, however, follow up is recommended in the following areas:

- A - Background (see **Domain #2 on page 3**)(also see onlinePHQ Background Investigators Report)
- E - Interactive ability/interpersonal style (see **Domain #3 on page 4**)

Similar indications and/or corroborations from background review and/or oral review boards should be very seriously considered in this case.

<p>Levels of Suitability Category 3 = Essentially Suitable Category 2 = Borderline suitability Category 1 = Likely to be unsuitable</p>	<p>Negative Indicator Codes A = Background B = Cognitive ability/educational potential E = Interactive ability/interpersonal style X = Invalid profile</p>
---	---

No employment decision should be made on the basis of this report alone. Although this report may identify those candidates who are poor risks for employment, it does not certify fitness, recommend specific duty assignments, or predict future success in law enforcement.

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Background Information

Employment

'01- Position 1 - United Parcel Service
'99-'01 Position 2 - United Parcel Service
'98-'99 Position 3 – Elm City Furniture
'94-'98 Position 4 - United States Marine Corps
'92-'94 Position 5 – Sunset Cafe
'90-'92 Position 6 – Acropolis Restaurant

Education

'01 Bachelor of Arts
'97 Training for United States Marine Corps Infantry
Squad Leader

Military

'94-'98 US Marines

Background Risk Summary

Name	Index
Employment Index	3
Criminal Index	1
Substance Index	1
Other Index	0
Total	5

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Domain 1: Cognitive/Educational Potential

Scores

Wonderlic Personnel Test:

LESI Vocabulary:

LESI Mathematical Reasoning:

Educational Deficits

- None found

Overall Cognitive/Educational Potential

- Above average educational potential

Notes

- none

Domain 2: Background Indicators

* indicates a critical item validated through research; to be verified by the background investigator

• indicates a negative item to be investigated by background investigator

<p>Employment/Military Indicators Risk score 3 (Moderate)</p> <ul style="list-style-type: none"> * Currently unemployed or not full-time employed (while not a student) * Disciplinary Incidents <ul style="list-style-type: none"> • Safety violations, vehicle accidents, damage to company property • I was verbally counseled: • Lateness, attendance, policy, or work rules violations 	<p>Substance Indicators Risk score 1 (Low)</p> <ul style="list-style-type: none"> * Any Marijuana use
<p>Criminal Indicators Risk score 1 (Low)</p> <ul style="list-style-type: none"> * Above average number of moving traffic violations 	<p>Other Indicators Risk score 0 (Low)</p> <ul style="list-style-type: none"> • none
<p>Total Risk score for all categories is: 5</p>	

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Domain 3: Interactive Abilities and Interpersonal Style

The following negative indicators were identified through responses on psychometric personality inventories

CPI (California Psychological Inventory)

- Unusually strong needs for status and recognition
- Strong needs to function independently, may resist direction
- May be sensitive to criticism and/or display unusually strong needs for status and recognition

IS5 (Inwald Survey 5)

- Applicant may not be aware of or concerned with how behavior is being judged by others.
- May fail to meet deadlines and/or complete assignments

Notes

- Negative personality findings listed above are within normal limits for suitability

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onlinePHQ® Reports

Bio Data Summary

Critical Items Reports

Life Events Report

Background Investigator's Report

Discrepancy Report

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Bio Data Summary for John C. Smith

Life history data derived from OnlinePHQ® is analyzed, organized, reported and scored in terms of **critical life events**. **These critical life events** have been found to predict negative employment outcomes in law enforcement and criminal justice applicants (i.e. failure to complete training, serious disciplinary action, disciplinary job termination). Each of these critical life events is assigned a relative weight based on our research. The scores are then grouped according life history area (employment, criminal, substance, other*) and **the sum of these scores is reported below.**

Name	Index
Employment Index	3
Criminal Index	1
Substance Index	1
Other Index*	0
Total	5

* “Other Index” reflects **discrepancies, inconsistencies, omissions, and failure to follow explicit directions and system prompts** which have been linked, through research, to negative employment outcome.

The Total index reported herein represents a measure of overall risk of negative employment outcome as predicted by with this applicant’s life history to date. This score may be used to prioritize groups of applicants for subsequent background investigation and/or other employment selection procedures. However, it is recommended that all data submitted by applicants be verified thru background investigation and that final employment decisions should not be based solely on this information prior to investigative verification

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Critical Items for John C. Smith

The following items have been directly linked through research to disciplinary action in law enforcement officers.

Name	Begin (Age)	End (Age)	Freq	Detail
Currently unemployed or not full-time employed (while not a student)				
Disciplinary Incidents			2 times	Position 3 – Elm City Furniture, Position 1 - United Parcel Service
Above average number of moving traffic violations		6/1995 (Age 24)	4 time(s)	Moving violation(s)
Any Marijuana use	6/1988 (Age 17)	2/1991 (Age 20)	1-5 time(s)	Marijuana

Other Negative Indicators for John C. Smith

The items below are negative background indicators recommended for follow up by investigators.

Name	Begin (Age)	End (Age)	Freq	Detail
Safety violations, vehicle accidents, damage to company property				Position 3 – Elm City Furniture
I was verbally counseled:		7/2001 (Age 30)	2 times	Position 3 – Elm City Furniture, Position 1 - United Parcel Service
Lateness, attendance, policy, or work rules violations				Position 1 - United Parcel Service

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Life Events for John C. Smith

For details of the life events listed below see the appropriate section of the [background investigator's report](#).

#	Name	Begin	End	Freq
Education Events (section 3)				
1)	Bachelor of Arts (received degree or certificate)		8/2001	
2)	Training for United States Marine Corps Infantry Squad Leader (received degree or certificate)		2/1997	
Employment History Events (section 4)				
3)	First decided to pursue a job in law enforcement, criminal justice or public safety	10/2001	10/2001	
4)	First applied to any law enforcement, criminal justice or public safety agency	10/2001	10/2001	
5)	Position 1 - United Parcel Service	1/2001		
	Lateness, attendance, policy, or work rules violations			
	I was verbally counseled:	7/2001	7/2001	1 times
6)	Position 2 - United Parcel Service	6/1999	1/2001	
7)	Position 3 – Elm City Furniture	8/1998	6/1999	
	Safety violations, vehicle accidents, damage to company property			
	I was verbally counseled:	1/1999	1/1999	1 times
8)	Position 4 - United States Marine Corps	5/1994	7/1998	
9)	Position 5 – Sunset Cafe	3/1992	5/1994	
10)	Position 6 – Acropolis Restaurant	5/1990	3/1992	
Military History Events (section 5)				
11)	US Marines	5/1994	6/1998	
Traffic Violation Events (section 7.1)				
12)	Moving violation(s)		6/1995	4 time(s)
13)	Accident(s) with property damage only		10/2000	2 time(s)
Substance Use Events (section 8)				
14)	Alcohol			4 per week
15)	Marijuana	6/1988	2/1991	1-5 time(s)
Applications To Other Agencies Events (section 9)				
16)	Applied to Oak City Police Department	10/2001	10/2001	
17)	Applied to Pine City Police Department	10/2001	10/2001	

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Background Investigator's Report for: John C. Smith

Name: John C. Smith
Social Security #: 123-45-6789

Phone Number: 111 222-3456
Email: bubba7@aol.com
Case ID: 1234
Case Date: 01/27/2002
Report Date: 02/01/2002

Section	Question	Response
1) Identifying Information		
	Last Name	Smith
	First Name	John
	Middle Initial	C.
	Social Security Number	123-45-6789
	Retype Social Security Number to confirm	123-45-6789
	Date of Birth	05/05/1972
	Please select your Race/Ethnicity	W
	Sex	M
2) Additional Identifying Information		
	Citizenship acquired by:	Birth
	Height:	6' 4"
	Weight:	252
	List all other names you have gone by, including nicknames. If female, furnish maiden name:	Big Guy, Bubba
	Have you ever legally changed your name?	No
	Number of Dependents:	0
	Have you ever been issued a drivers license by a state other than North Carolina?	YES
	List state(s) and license number(s):	Florida- I no longer have the license (or the number) due to the fact that I turned it in when I moved from Florida
	Father's name:	Robert B. Smith
	Father's address:	414 Smithfield Drive, Washington, NC
	Father's date of birth:	02/25/1946
	Is your father still living?	YES
	Mother's name:	Roberta Smith
	Mother's address:	414 Smithfield Drive, Washington, NC
	Mother's date of birth:	05/27/49
	Is your mother still living?	YES

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Do you have any brothers?	YES
Brother's name:	Patrick Smith
Brother's address:	75 Harbor Lane, Sarasota, FL
Brother's date of birth:	12/3/1974
Is this brother still living?	YES
Do you have any other brothers?	YES
Brother's name:	Darrel Smith
Brother's address:	N/A Deceased
Brother's date of birth:	08/10/76
Is this brother still living?	no
Do you have any other brothers?	no
Do you have any sisters?	YES
Sister's name:	Carol Butler
Sister's address:	16 Canterbury Drive, Washington, NC
Sister's date of birth:	08/10/76
Is this sister still living?	YES
Do you have any other sisters?	YES
Sister's name:	Deidre Smith
Sister's address:	1414 Primrose Ave., Queens, NY
Sister's date of birth:	02/27/1978
Is this sister still living?	YES
Do you have any other sisters?	no
Are you currently married?	no
Have you been previously married?	no
Is there any other person not listed above with whom you currently reside who is currently 16 years of age or older?	no
Date began residing there:	08/01/98
Complete address:	3 Laredo Court, Elm City, NC
Do you rent?	YES
Landlord's name:	Mr. Joseph Craft
Landlord's complete address:	745 Walker Drive, Elm City, NC
Landlord's telephone number:	336 222-1234
Began residence:	08/01/1998
Ended residence:	Still living there
Complete address:	Same as above, 3 Laredo Court, Elm City, NC
Did you rent?	YES
Name of first reference:	Mr. Todd Carpenter
Complete address:	52 Old County Road, Elm City, NC
Telephone number:	336 333-9876
Name of second reference:	Mrs. Beverly Carpenter
Complete address:	52 Old County Road, Elm City, NC
Telephone number:	336 333-9876
Name of third reference:	Dr. Horace Winter
Complete address:	63 Anthony Avenue, Elm City, NC

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Telephone number:	336 454-6262
Alternate Contact Name:	Carol Butler
Complete address:	16 Canterbury Drive, Washington,
Telephone number:	910 675-9876

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Have you previously submitted an application for employment to the agency to which you are applying today? no

3) Education

3.1) Overview

High School graduate or GED with no further education	YES
Education beyond high school/GED	YES
Specialized Military Training	YES
Academic, i.e. College	YES
Bachelor Degree(s)	YES

3.3) Academic Bachelor Degrees

Bachelor of Arts	YES
Please select your major field of study:	Humanities ,
What was the name of the Institution?	The University Of North Carolina
Did You Receive your Degree?	YES
Date of Graduation:	8/2001

3.7) Vocational Other

Other	YES
Indicate job title for which training was intended:	United States Marine Corps Infantry Squad Leader
Did you receive a certificate?	YES
Date completed:	2/1997
Use this space to describe training and other information that you may feel is relevant:	Other Marine Corps specialized training received: Marksmanship Instructor School(Range Coach Course) / Assault Climber’s Course / Monitor Survey Course(Nuclear/Biological/Chemical Warfare Training)

4) Employment History

When did you first decide to pursue a job in law enforcement, criminal justice or public safety?	10/2001
What is the date of your first application to any law enforcement, criminal justice, or public safety agency?	10/2001
Are you currently employed on a full time basis?	no
If other than full time employed, what are your primary sources of support?	Part-time employment , money saved
Have you ever been unemployed for more than 30 days?	no

4.1) Position 1 - United Parcel Service

4.1.1) General Information

Employer:	United Parcel Service
Job Title:	Part-Time Supervisor
Duties:	Lead, supervise, and oversee fourteen hourly employees in the

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	outbound(loading)operations sector of the _____, NC hub. Other duties include: updating and maintaining employee records, <i>instructing</i> employees in proper work techniques, and representing management to hourly employees.
Is/was this job:	Part-time
Is/was this position in law enforcement, criminal justice, or public safety?	no
Indicate average number of hours per week:	33
Starting Salary/Wage/Average Commission:	\$1300.00
Per:	Month
Ending (or Current) Salary/Wage/Average Commission:	\$1375.00
Per:	Month
Employer address:	1412 Saunders Street, Elm City, NC
Telephone number:	336 111-2222
Supervisor's name:	Mr. Michael Garrison
Date Hired:	1/2001
Still employed?	YES

4.1.2) Performance/Disciplinary Incidents

Lateness, attendance, policy, or work rules violations	YES
I was verbally counseled:	YES
Number of times:	1
Date of last incident:	7/2001
Please explain:	<i>My immediate full-time supervisor verbally counseled me on the importance of being on time for work and lateness was never again an issue ---- at least no one ever told me it was!</i>

4.2) Position 2 - United Parcel Service

4.2.1) General Information

Employer:	United Parcel Service
Job Title:	Loader
Duties:	Loading tractor-trailer trucks in the outbound (loading)sector
Is/was this job:	Part-time
Is/was this position in law enforcement, criminal justice, or public safety?	No
Indicate average number of hours per week:	25
Starting Salary/Wage/Average Commission:	\$8.50
Per:	Hour
Ending (or Current) Salary/Wage/Average Commission:	\$10.00
Per:	Hour
Employer address:	1412 Saunders Street, Elm City, NC
Telephone number:	336 111-2222
Supervisor's name:	Mr. Peter Craft
Date Hired:	6/1999

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Still employed?	no
If not still employed, when did you leave?	1/2001
Which of the following best describes the circumstances under which you left employment at this position?	Career advancement,
Please describe the details of all the circumstances you have marked above	I was promoted to part-time management (part-time supervision) with same company (U.P.S.) I guess they liked the way I got the job done

4.2.2) Performance/Disciplinary Incidents

No incidents reported

4.3) Position 3 –Elm City Furniture

4.3.1) General Information

Employer:	Elm City Furniture
Job Title:	Furniture Assembly/Delivery
Duties:	Responsible for the assembly and delivery of furniture for customers
Is/was this job:	Part-time
Is/was this position in law enforcement, criminal justice, or public safety?	no
Indicate average number of hours per week:	20
Starting Salary/Wage/Average Commission:	\$8.00
Per:	Hour
Ending (or Current) Salary/Wage/Average Commission:	\$8.50
Per:	Hour
Employer address:	East Gate Shopping Center, Elm City, NC
Telephone number:	336 343-6778
Supervisor's name:	Mr. Bob Simmons
Date Hired:	8/1998
Still employed?	no
If not still employed, when did you leave?	6/1999
Which of the following best describes the circumstances under which you left employment at this position?	Career advancement
Please describe the details of all the circumstances you have marked above	I left for more hours and better benefits (insurance plan, college tuition reimbursement) at U.P.S.

4.3.2) Performance/Disciplinary Incidents

Safety violations, vehicle accidents, damage to company property	YES
I was verbally counseled:	YES
Number of times:	1
Date of last incident:	1/1999
Please explain:	There was one incident in which delivery truck was slightly damaged in the course of a delivery (accidentally backed into brick mailbox backing out of a driveway on a tight street.) The fellow I was with distracted me and I didn't see the mailbox until it was too

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late.

4.4) Position 4 - United States Marine Corps

4.4.1) General Information

Employer:	United States Marine Corps
Job Title:	Rifleman (M.O.S. 0311)
Duties:	Various duties and skills pertaining to Infantry specialty: radio communications training(encryption/decryption and codes), patrolling, extensive weapons training, land-navigation(map reading), survival training in various environments, hand-to-hand combat training, physical conditioning, close-order drill, combat operations in the offensive/defensive, extensive experience in M.O.U.T.(Military Operations in Urban Terrain)and close-quarters battle techniques, experience in operating in N.B.C.(Nuclear/Biological/Chemical)warfare environments, extensive experience in heli-borne assault operations. Participated with Marine Expeditionary Unit in the performance of S.O.C.(Special Operations Capability) training, Leadership billets held: Team Leader and Squad Leader.
Is/was this job:	Full-time
Is/was this position in law enforcement, criminal justice, or public safety?	no
Starting Salary/Wage/Average Commission:	\$1000.00
Per:	Month
Ending (or Current) Salary/Wage/Average Commission:	\$1700.00
Per:	Month
Employer address:	MP Company Headquarters Marine Corp Base, US Marines, Fox Co. Camp LeJeune, NC
Telephone number:	910 789-1234
Supervisor's name:	Capt. Forrest (Company C.O.)
Date Hired:	5/1994
Still employed?	no
If not still employed, when did you leave?	7/1998
Which of the following best describes the circumstances under which you left employment at this position?	Resigned for personal reasons will discuss in person
Please describe the details of all the circumstances you have marked above	Left the Marine corps after term of enlistment was complete(Honorable Discharge)to finish college education.

4.4.2) Performance/Disciplinary Incidents

No incidents reported

4.5) Position 5 – Sunset Cafe

4.5.1) General Information

Employer:	Sunset Café
Job Title:	Server
Duties:	Waiting on customers
Is/was this job:	Part-time

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Is/was this position in law enforcement, criminal justice, or public safety?	no
Indicate average number of hours per week:	30
Starting Salary/Wage/Average Commission:	\$2.25
Per:	Hour
Ending (or Current) Salary/Wage/Average Commission:	\$2.25
Per:	Hour
Employer address:	3767 Garden Avenue, Sarasota, FL
Telephone number:	941 238-7721
Supervisor's name:	Mr. Craven (Owner)
Date Hired:	3/1992
Still employed?	no
If not still employed, when did you leave?	5/1994
Which of the following best describes the circumstances under which you left employment at this position?	Career advancement,
Please describe the details of all the circumstances you have marked above	Left the restaurant to join the Marine Corps.

4.5.2) Performance/Disciplinary Incidents

No incidents reported

4.6) Position 6 – Acropolis Restaurant

4.6.1) General Information

Employer:	Acropolis Restaurant
Job Title:	Server
Duties:	Waiting on customers
Is/was this job:	Part-time
Is/was this position in law enforcement, criminal justice, or public safety?	no
Indicate average number of hours per week:	25
Starting Salary/Wage/Average Commission:	\$2.25
Per:	Hour
Ending (or Current) Salary/Wage/Average Commission:	\$2.25
Per:	Hour
Employer address:	7234 15 th Street, Bradenton, FL
Telephone number:	941 238-4456
Supervisor's name:	Mr. Poloukis
Date Hired:	5/1990
Still employed?	no
If not still employed, when did you leave?	3/1992
Which of the following best describes the circumstances under which you left employment at this position?	Career advancement ,
Please describe the details of all the circumstances you have marked	left the restaurant to take better pay and better hours at

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above

Sunset Cafe.

4.6.2) Performance/Disciplinary Incidents

No incidents reported

5) Military History

Have you EVER served in the military on active duty OR reserve duty?	YES
--	-----

5.1) 1st Service

5.1.1) General Information

Branch of Service:	US Marines
Duty Status:	Inactive Reserve
Primary job or MOS:	0311
Enlisted	YES
E:	5
Date Initially Enlisted or Commissioned:	5/1994
Discharge Status:	Honorable without Qualification
Date Discharged, Retired, or Assigned to Reserves:	6/1998
Did your discharge occur prior to full expiration of original or anticipated term of enlistment?	no

5.1.2) Disciplinary History

No incidents reported

6) Marital Status/Family Information

Current Marital Status:	Single
Number of Previous Marriages:	0
With whom are you currently living?	Alone
Are you currently financially responsible for dependent children who do NOT live with you?	no

7) Legal

7.1) Traffic Violations

Moving violation(s)	YES
Number of violations:	4
Date of last incident:	06/1995
Describe and/or provide additional information regarding this/these violation(s):	3/13/90:Speeding (60 in a 45) 2/25/95:Speeding (Exceeding safe speed) 4/23/95:Speeding (80 in a 65) 6/16/95:Speeding (76 in a 65)
Accident(s) with property damage only	YES
Number of accidents:	2
Date of last incident:	10/2000
Describe and/or provide additional information regarding this/these violation(s):	9/10/93:Drove into ditch to avoid collision with deer at night in fog. 10/08/00: Low-speed rear-end collision on narrow

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West Virginia State Police
RFQ#DPS160000008

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two-lane road in the rain.

7.2) Integrity, etc.

Have you ever been a defendant, plaintiff, respondent in a civil court action(s)?	no
Have you ever taken ANY money or property from an employer?	no
Have you ever taken, bought, sold, received or held stolen property for someone else?	no

7.3) Criminal Offenses

7.3.1) Criminal Dispositions, Sentences, and/or Outcomes

Have you ever been arrested, detained, pled guilty or no contest to a charge involving assault or domestic violence?	no
Have you ever been incarcerated?	no
Have you ever been on probation or parole?	no
Have you ever been sentenced to community service?	no
Have you ever been ordered to make restitution?	no
Have you ever been mandated to counseling or education?	no

7.3.2) Reported Criminal Offenses

No incidents reported

8) Substance Use

8.1) Tobacco and Alcohol

Do you smoke now?	no
Do you currently drink alcohol?	YES
How many times have you consumed 6 or more drinks at a time?	0
How often have you driven after 4 or more drinks?	0
How many times have you driven with an open container?	0
What is the average number of drinks consumed per week?	4
How many times have you consumed alcohol on the job?	0
How many times have you been warned by an employer about drinking?	0
You may use this space to provide additional information about your use of tobacco and/or alcohol.	social drinker(moderate intake only)

8.2) Illegal Drug Use

8.2.1) Overview

Have you ever used or experimented with marijuana?	YES
Have you ever used or experimented with cocaine?	no
Have you ever used or experimented with amphetamines, methedrine, dexedrine, "speed"?	no
Have you ever used or experimented with PCP (angel dust)?	no
Have you ever used or experimented with crack cocaine, opiates, morphine, heroin?	no

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Have you ever used or experimented with hallucinogens?	no
Have you used or experimented with any illegal drug not listed above?	no
Have you illegally used or experimented with any other drugs?	no

8.2.2) Marijuana

Number of times you have smoked/used or experimented with marijuana in your entire life:	1-5
Number of times that you have smoked/used or experimented with marijuana in the last 12 months:	0
Have you ever driven after smoking/using marijuana?	no
Have you ever provided marijuana in exchange for money or goods?	no
Have you ever grown, cultivated, or been involved in the manufacture of marijuana?	no
Have you ever been refused employment or military service because of use of marijuana?	no
Have you ever been disciplined or discharged from employment or military service because of use of marijuana?	no
Age FIRST used or experimented with Marijuana:	17
Date last used or experimented with Marijuana:	2/1991
You may use this space to provide additional information about your marijuana use.	minimal experimentation

9) Applications to Other Agencies

Have you previously applied to any law enforcement agency?	YES
--	-----

9.1) Agency 1

Agency name:	Oak City Police Department
City:	Oak City
State:	NC
Date applied:	10/2001
Were you employed by this agency?	Not yet
Were you offered employment with this agency?	Not yet
Have you applied to any other law enforcement agencies?	YES

9.2) Agency 2

Agency name:	Pine City Police Department
City:	Pine City
State:	NC
Date applied:	10/2001
Were you employed by this agency?	Not yet
Were you offered employment with this agency?	Not yet
Have you applied to any other law enforcement agencies?	No

10) Other Legal

Have you ever intentionally or unintentionally slapped, punched or otherwise injured a spouse or domestic partner?	No
Have you ever been served with or been the subject of a domestic restraining order	No

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Have you ever cheated, lied, or misrepresented facts during an application or employment evaluation process?

No

11) Additional Comments, Explanations and Clarifications

I am not employed with either of the police departments I have applied with because *i* am currently going through the application/hiring process.

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Discrepancies for John C. Smith

Current Case: 1234 taken on 01/27/2002 for Elm City Police Department

The table below represents discrepancies identified when comparing the current case with previous case(s) on file. Background investigators should pay particular attention to reconciling these discrepancies in the course of investigation of this applicant.

CI = Critical Items - items that have been directly linked through research to disciplinary action in law enforcement officers.

NI = Negative Indicators - are negative background indicators recommended for follow up by investigators.

Previous Case(s)	This Agency?	Type	Name	Begin (Age)	End (Age)	Freq	Detail
10/04/2001	N	CI	More than one resignation for personal reasons			2 times	Position 5 – Sunset Café, Position 3 – Elm City Furniture

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Sample Comprehensive Reports

Exhibit 4

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In this regard, please note that public disclosure of this information would violate the ethical principles and professional conduct guidelines published by the American Psychological Association as well as the Code of Fair Testing Practices and the Standards for Educational and Psychological Testing published by the Joint Committee on Testing Practices of the American Educational Research Association.

Sample Comprehensive Reports

Psychological Evaluation, Applicant "A"

CANDIDATE: XXXX

INTERVIEW DATE: July 13, 200X

The following evaluation represents the opinion of the psychologist concerning the individual named. The judgments are based upon a psychological interview and psychological test results. **These judgments are germane only to the position indicated and are considered valid for no longer than 6 months from the date shown above.** This evaluation should not be shared with any other agency or used for any purpose other than that indicated herein. This document should not be photocopied. The physical security of this document is the responsibility of the Agency named herein.

BACKGROUND:

XXXXX is a 34 year old male evaluated in conjunction with his application for employment as a Cadet Trooper, XXXXX State Police. Mr. XXXXX is currently employed as a Police Officer at the XXXXX Police Department and has been so employed for approximately 4½ years.

Mr. XXXXX holds a Bachelors Degree in Criminal Justice from the State University of XXXXX. He served 6 years in the US Army and was discharged with the rank of E-4. He is married and has 1 child.

PRESENTING DATA:

Mr. XXXXX presents in a generally appropriate manner. He was open, honest and friendly during the interview, maintained good eye contact and expressed himself adequately.

TESTS ADMINISTERED:

California Psychological Inventory, Educational Skills Inventory Test, Inwald Survey 5, Personal History Questionnaire, Wonderlic Personnel Test.

RESULTS OF PSYCHOLOGICAL TESTING AND PERSONAL INTERVIEW:

Mr. XXXXX's score on the Wonderlic Personnel Test was at the 76.6 percentile which is above average for cadet trooper applicants. His score on the Brief Intelligence Test was at the 90.2 percentile which is above average as well, when compared to our database of cadet trooper applicants.

Analysis of the error patterns in the intellectual testing is consistent with the impression of above average general intellectual ability. There is no indication of educational deficits nor is there a noted tendency for his performance to deteriorate with stress and time pressure.

Exhibit 4, page 1

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Greensboro, NC

Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "A"
July 13, 200X

These scores indicate that Mr. XXXXX would not experience difficulty completing the academic portions of his training. In addition, his performance if called upon to complete written reports and/or routine administrative tasks is likely to be adequate.

Mr. XXXXX's performance on the California Psychological Inventory indicates that he is a cautious, well-controlled individual who will typically think before acting on impulse. He is also highly conventional and conforming and will seek the acceptance of others. He will be quite concerned with pleasing others and avoiding criticism.

Mr. XXXXX is an interpersonally assertive individual who prefers to be in charge of a group or activity rather than merely a participant. He has definite opinions and views, a strong sense of purpose in life and will characteristically exercise leadership when attempting to influence others. In addition, he is a moderately ambitious person who will be hard working and willing to make personal sacrifices in order to achieve his long term goals.

Mr. XXXXX is socially outgoing and comfortable in a variety of interpersonal situations, whether with strangers or with friends. He will be poised, spontaneous and flexible when dealing with others. He is aware of human idiosyncrasies and differences, but not upset by them. He will integrate his activities well with others and will be able to deal with those whose lifestyles and points of view differ from his own.

Mr. XXXXX is a self-confident individual who is comfortable with himself at this time. He will rely on his own opinions and views and will trust his own views more than the views of others. In spite of this, however, he will faithfully follow the directions of others, even on issues of personal importance that may significantly affect his own life. As such, he will rarely, if ever, question those in authority.

Mr. XXXXX is a conscientious individual who is concerned about the welfare of others. He will display a sense of civic responsibility and has an appreciation for social orderliness. In addition, he will be achievement oriented, resourceful and able to function well in both structured and unstructured situations as well as in situations calling for independent judgment.

Exhibit 4, page 2

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "A"
July 13, 200X

SUMMARY AND CONCLUSIONS:

Mr. XXXXX's score on the Police Effectiveness Index of the California Psychological Inventory is 54 which is significantly above average. The Inwald Survey 5 indicates that his profile suggests a low risk for performance difficulties. The LESI Discriminant Function Analysis does not indicate an above average probability of disciplinary action and/or performance difficulties. In total, I find Mr. XXXXX to be an acceptable candidate for employment as a Cadet Trooper, XXXXX State Police.

In this regard, the testing indicates that Mr. XXXXX is an individual of above average intelligence. He has demonstrated his interest in law enforcement through his educational activities and current employment. He is also reasonably well-adjusted and has many of the personality characteristics associated with success in law enforcement. As such, I believe he has a reasonable probability for success as a Cadet Trooper, XXXXX State Police.

Performance Area Ratings (0-5)

Intellectual ability and academic achievement	3
Background	3
Psychological adjustment	3

OVERALL RATING 9
Employment recommended

Michael J. Cuttler, Ph.D.
Consulting Psychologist

MJC:grt

Exhibit 4, page 3

Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "B"

CANDIDATE: XXXX

INTERVIEW DATE: May 1, 200X

The following evaluation represents the opinion of the psychologist concerning the individual named. The judgments are based upon a psychological interview and psychological test results. **These judgments are germane only to the position indicated and are considered valid for no longer than 6 months from the date shown above.** This evaluation should not be shared with any other agency or used for any purpose other than that indicated herein. This document should not be photocopied. The physical security of this document is the responsibility of the Agency named herein.

BACKGROUND:

XXXXX is a 28 year old female evaluated in conjunction with her application for employment as a Cadet Trooper, XXXXX State Police. Ms. XXXXX is currently employed at a retail store and has been so employed for approximately 2½ years.

Ms. XXXXX holds a Bachelors Degree in Justice Administration from XXXXX College. She is married and has 1 child. She has no history of military service.

PRESENTING DATA:

Ms. XXXXX presents in a generally appropriate manner. She was open, honest and friendly during the interview, maintained good eye contact and expressed herself adequately.

TESTS ADMINISTERED:

California Psychological Inventory, Educational Skills Inventory Test, Inwald Survey 5, Personal History Questionnaire, Wonderlic Personnel Test.

RESULTS OF PSYCHOLOGICAL TESTING AND PERSONAL INTERVIEW:

Ms. XXXXX's score on the Wonderlic Personnel Test was at the 98.8 percentile which is above average for cadet trooper applicants. Her score on the Brief Intelligence Test was at the 90.2 percentile which is above average as well, when compared to our database of cadet trooper applicants.

Analysis of the error patterns in the intellectual testing is consistent with the impression of above average general intellectual ability. There is no indication of educational deficits nor is there a noted tendency for her performance to deteriorate with stress and time pressure.

Exhibit 4, page 4

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "B"
May 1, 200X

These scores indicate that Ms. XXXXX would not experience difficulty completing the academic portions of her training. In addition, her performance if called upon to complete written reports and/or routine administrative tasks is likely to be good.

Ms. XXXXX's performance on the California Psychological Inventory indicates that she is a cautious, well-controlled individual who will typically think before acting on impulse. She is also highly conventional and conforming and will seek the acceptance of others. She will be quite concerned with pleasing others and avoiding criticism.

Ms. XXXXX is a reasonably assertive individual who usually prefers to be in charge of a group or activity rather than merely a participant. She has a good sense of purpose in life and will usually exercise leadership when attempting to influence others. In addition, she is a moderately ambitious person who will be hard working and willing to make personal sacrifices in order to achieve her long term goals.

Ms. XXXXX is somewhat shy and retiring interpersonally and not very outgoing socially. In addition, behavior patterns that differ from her own cause her some discomfort. She will have a restricted view of what behaviors are "proper" and will be quite critical of those whose lifestyles and points of view differ from her own.

Ms. XXXXX is a reasonably self-confident individual who is reasonably comfortable with herself at this time. She will rely on her own opinions and views and will trust her own views more than the views of others. In spite of this, however, she will faithfully follow the directions of others, even on issues of personal importance that may significantly affect her own life. As such, she will rarely, if ever, question those in authority.

Ms. XXXXX is a conscientious individual who is concerned about the welfare of others. She will display a sense of civic responsibility and has an appreciation for social orderliness. In addition, she will be reasonably resourceful and able to function reasonably well in both structured and unstructured situations.

Exhibit 4, page 5

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "B"
May 1, 200X

SUMMARY AND CONCLUSIONS:

Ms.XXXXX's score on the Police Effectiveness Index of the California Psychological Inventory is 48 which is average. The Inwald Survey 5 indicates that her profile suggests a low risk for performance difficulties. The LESI Discriminant Function Analysis does not indicate an above average probability of disciplinary action and/or performance difficulties. In total, I find Ms.XXXXX to be an acceptable candidate for employment as a Cadet Trooper, XXXXX State Police.

In this regard, the testing indicates that Ms.XXXXX is an individual of above average intelligence. She is also reasonably well-adjusted and her profile is within normal limits.

The primary negative in Ms. XXXXX's profile involves the personality testing. In this regard, the testing indicates lack of interpersonal flexibility. As such, she may, at times, be uncomfortable in situations calling for interpersonal subtlety and finesse.

As noted above, Ms. XXXXX's profile is within normal limits and, based on the information available, she is a acceptable for employment. Given proper training and supervision, she has a reasonable probability of success as a Cadet Trooper, XXXXX State Police.

Performance Area Ratings (0-5)

Intellectual ability and academic achievement	4
Background	3
Psychological adjustment	2

OVERALL RATING 9
Employment recommended

Michael J. Cuttler, Ph.D.
Consulting Psychologist

MJC:grt

Exhibit 4, page 6

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "C"

CANDIDATE: XXXX

INTERVIEW DATE: April 16, 200X

The following evaluation represents the opinion of the psychologist concerning the individual named. The judgments are based upon a psychological interview and psychological test results. **These judgments are germane only to the position indicated and are considered valid for no longer than 6 months from the date shown above.** This evaluation should not be shared with any other agency or used for any purpose other than that indicated herein. This document should not be photocopied. The physical security of this document is the responsibility of the Agency named herein.

BACKGROUND:

Mr. XXXX is a 25 year old male evaluated in conjunction with his application for employment as a Cadet Trooper, XXXX State Patrol. Mr. XXXX is currently unemployed and has been unemployed for approximately 3 months. Prior to that, he was employed as a laborer for approximately 7 months. Prior to that, he was unemployed for approximately 10 months.

Mr. XXXX is a high school graduate who has completed vocational certification in Electronics Technology and has no further education. He served approximately 4 years in the US Marine Corps and was discharged with the rank of E-3. He is single and lives with his parents.

PRESENTING DATA:

Mr. XXXX presents in a generally appropriate manner. He was open, honest and friendly during the interview, maintained good eye contact and expressed himself adequately.

TEST ADMINISTERED:

California Psychological Inventory, Educational Skills Inventory Test, Inwald Survey 5, Personal History Questionnaire, Wonderlic Personnel Test.

RESULTS OF PSYCHOLOGICAL TESTING AND PERSONAL INTERVIEW:

Mr. XXXX's score on the Wonderlic Personnel Test was at the 42.1 percentile which is average for cadet trooper applicants. His score on the Brief Intelligence Test was at the 19.5 percentile which is low average, when compared to our database of cadet trooper applicants.

Analysis of the error patterns in the intellectual testing is consistent with the impression of low average to average general intellectual ability. In addition, there is indication of significant educational deficits in the areas of mathematical reasoning ability.

Exhibit 4, page 7

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "C"
April 16, 200X

These scores indicate that Mr. XXXX would not experience undue difficulty completing the academic portions of his training. In addition, his performance if called upon to complete written reports and/or routine administrative tasks is likely to be adequate.

Mr. XXXX's performance on the California Psychological Inventory indicates that he is a cautious, well-controlled individual who will typically think before acting on impulse. He is also reasonably conforming and will usually seek the acceptance of others. He will be reasonably concerned with pleasing others and avoiding criticism.

Mr. XXXX is an interpersonally assertive individual who prefers to be in charge of a group or activity rather than merely a participant. He has definite opinions and views and will usually exercise leadership when attempting to influence others. However, he also indicates that he is relatively disinterested in achievement. He is likely to be unwilling or unable to make personal sacrifices in order to achieve his goals.

Mr. XXXX is socially outgoing and comfortable in a variety of interpersonal situations, whether with strangers or with friends. He will be reasonably poised when dealing with others. He is aware of human idiosyncrasies and differences, but not unduly upset by them. He will integrate his activities reasonably well with others and will be able to deal reasonably well with those whose lifestyles and points of view differ from his own.

Mr. XXXX is a self-confident individual who is comfortable with himself at this time. He will rely on his own opinions and views and will trust his own views more than the views of others. However, he will usually follow the directions of others. As such, he will rarely question those in authority.

Mr. XXXX indicates that he is reluctant to make personal sacrifices for the good of others. This is an unusual finding in law enforcement officers and has been found to predict disciplinary action.

Mr. XXXX will be reasonably resourceful and able to function reasonably well in structured and unstructured situations.

Exhibit 4, page 8

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "C"
April 16, 200X

SUMMARY AND CONCLUSIONS:

Mr. XXXX's score on the Police Effectiveness Index of the California Psychological Inventory is 50 which is average. The Inwald Survey 5 indicates that his profile suggests a high risk for performance difficulties, primarily due to indications of work ethic and reliability concerns. The LESI Discriminant Function Analysis does not indicate an above average probability of disciplinary action and/or performance difficulties. In total, I find Mr. XXXX to be a borderline candidate for employment as a Cadet Trooper, XXXX State Patrol.

In this regard, the testing indicates that Mr. XXXX is a reasonably intelligent individual. He is also reasonably well-adjusted and his profile is within normal limits. As such, sufficient data does not exist to justify completely disqualifying him from consideration for employment at this time. However, there are several negative indicators in his profile which should be very carefully considered during the employment process.

One set of negatives in Mr. XXXX's profile involves his background. In this regard, this applicant's employment history since his discharge from the US Marine Corps has been quite poor and includes multiple protracted periods of unemployment as well as a protracted period of part-time employment. In addition, during the personal interview, Mr. XXXX indicated that he received a Page 11 entry in the US Marine Corps for "non-recommendation for Corporal." He indicated that he had not accumulated enough points for Corporal due to "switching units several times." It is strongly recommended that background investigators pay close attention to this applicant's employment history as well as his military history.

It is also noted that Mr. XXXX has applied to multiple law enforcement agencies recently. However, he failed to indicate this information on Question #10 of the LESI Personal History Questionnaire or on Question #25 of the XXXXX employment application. In addition, this applicant's background includes 2 alcohol-related arrests as well as marijuana usage approximately 1½ years ago. Background investigators should pay close attention to this applicant's substance usage as well as the thoroughness and completeness of application materials.

Another set of negatives in Mr. XXXX's profile involves the personality testing. In this regard, the testing indicates lack of initiative and reluctance to make personal sacrifices for others. Law enforcement officers in our database with profiles such as this may be uncomfortable in situations calling for independent judgment.

Exhibit 4, page 9

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "C"
April 16, 200X

As noted above, Mr. XXXX's profile is within normal limits and, as such, sufficient data does not exist to justify completely disqualifying him from consideration for employment at this time. However, due to the above noted negative indicators, I am unable to recommend him without reservations. If Mr. XXXX's background is acceptable to the West Virginia State Patrol, then he would be an acceptable for employment. However, if hired, it is strongly recommended that training officers and supervisors pay close attention to the above noted negative indicators. Without proper training and supervision, he will have an above average tendency to develop "bad habits" in the field.

Performance Area Ratings (0-5)

Intellectual ability and academic achievement	3
Background	2
Psychological adjustment	2

OVERALL RATING 7
Borderline candidate
Recommendation withheld

Michael J. Cuttler, Ph.D.
Consulting Psychologist

MJC:mst

Exhibit 4, page 10

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "D"

CANDIDATE: XXXX

INTERVIEW DATE: September 2, 200X

The following evaluation represents the opinion of the psychologist concerning the individual named. The judgments are based upon a psychological interview and psychological test results. **These judgments are germane only to the position indicated and are considered valid for no longer than 6 months from the date shown above.** This evaluation should not be shared with any other agency or used for any purpose other than that indicated herein. This document should not be photocopied. The physical security of this document is the responsibility of the Agency named herein.

BACKGROUND:

Mr. XXXX is a 21 year old male evaluated in conjunction with his application for employment as a Cadet Trooper, XXXX State Police. Mr. XXXX is currently unemployed and has been unemployed for approximately 3 months. Prior to this, he was employed as a produce associate at a grocery store for approximately 5 years on a part-time basis. However, he was asked to resign from that position.

Mr. XXXX is a high school graduate with no further education. He is single and lives alone. He has no history of military service.

PRESENTING DATA:

Mr. XXXX presents in a generally appropriate manner. He was open, honest and friendly during the interview, maintained good eye contact and expressed himself adequately.

TESTS ADMINISTERED:

California Psychological Inventory, Educational Skills Inventory Test, Inwald Survey 5, Personal History Questionnaire, Wonderlic Personnel Test.

RESULTS OF PSYCHOLOGICAL TESTING AND PERSONAL INTERVIEW:

Mr. XXXX's score on the Wonderlic Personnel Test was at the 24.0 percentile which is low average for cadet trooper applicants. His score on the Brief Intelligence Test was at the 9.9 percentile which is below average when compared to our database of cadet trooper applicants.

Analysis of the error patterns in the intellectual testing is consistent with the impression of below to low average general intellectual ability. In addition, there is indication of substantial educational deficits in the areas of reading comprehension, mathematical reasoning ability and written expression.

Exhibit 4, page 11

Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "D"
September 2, 200X

These scores indicate that although Mr. XXXX possesses adequate general intelligence to perform the duties of a cadet trooper, he may experience difficulty completing the academic portions of his training. In addition, his performance if called upon to complete written reports and/or routine administrative tasks is likely to be poor.

Mr. XXXX's performance on the California Psychological Inventory indicates that he is an unusually impatient individual. Although he can move quickly from idea to action, he may, on occasion, do so too quickly. Individuals with profiles such as this often fail to think through the long range implications of their actions. In addition, he indicates that he is not particularly concerned with the impression his behavior creates in others and does not particularly care what others think of him. Individuals with profiles such as this are often characterized as "thick-skinned" people who are insensitive to others.

Mr. XXXX is a reasonably assertive individual who prefers to be in charge of a group. He has definite opinions and views and will usually exercise leadership when attempting to influence others. However, he also indicates that he is relatively disinterested in achievement. He is likely to be unwilling or unable to make personal sacrifices in order to achieve his goals.

Mr. XXXX is somewhat shy and retiring interpersonally and not very outgoing socially. In addition, behavioral patterns that differ from his own cause him some discomfort. He will have a restricted view of what behaviors are "proper" and will be quite critical of those whose points of view and lifestyles differ from his own.

Mr. XXXX is a reasonably self-confident individual who is reasonably comfortable with himself at this time. He will rely on his own opinions and views and will trust his own views more than the views of others. However, he will faithfully follow the directions of others, even on issues of personal importance that may significantly affect his own life. As such, he will rarely, if ever, question those in authority.

Mr. XXXX indicates that he is reluctant to make personal sacrifices for the good of others. This is an unusual finding in law enforcement applicants and has been found to predict disciplinary action.

Mr. XXXX in structured situations. Structure and organization are appealing to him and he values them in most endeavors. He will be considerably less comfortable in unusual situations or in situations calling for independent judgment.

Exhibit 4, page 12

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Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "D"
September 2, 200X

SUMMARY AND CONCLUSIONS:

Mr. XXXX's score on the Police Effectiveness Index of the California Psychological Inventory is 39 which is substantially below average. The Inwald Survey 5 indicates that his profile suggests a high risk for performance difficulties and a high risk for job termination, primarily due to indications of work ethic and reliability concerns. The LESI Discriminant Function Analysis indicates an above average probability of disciplinary action and/or performance difficulties, primarily due to indications of impatience, lack of initiative, lack of interpersonal sensitivity and discomfort in situations calling for independent judgment. In total, I find Mr. XXXX to be a questionable candidate for employment as a Cadet Trooper, XXXXX State Police.

In this regard, although Mr. XXXX possesses adequate general intelligence to perform the duties of a police officer, the results of the cognitive/educational testing indicate substantial educational deficits in the areas of reading comprehension, mathematical reasoning ability and written expression. These scores indicate that he may have difficulty completely additional academic training as well as administrative tasks and that he is likely to benefit from remedial educational attention.

The second set of negatives in Mr. XXXX's profile involves his background. In this regard, this applicant's background includes a involuntary resignation from employment at a grocery store subsequent to an integrity violation. In addition, during the personal interview, this applicant indicated that he used marijuana approximately 1½ years ago. This is a significant negative indicator since it occurred while he was a volunteer firefighter and is in direct contradiction to the information supplied on Question #44 of the signed and notarized XXXXX application form. Background investigators should pay close attention to this applicant's employment history, including the circumstances surrounding his job termination. Background investigators should also pay close attention to his substance usage.

The third set of negatives in Mr. XXXX's profile involves the personality testing. In this regard, the testing indicates impatience, lack of interpersonal sensitivity and lack of initiative. As such, he may fail to think through the long range implication of his actions and may be uncomfortable in situations calling for interpersonal subtlety and finesse. There are also indications that he may be uncomfortable in situations calling for independent judgment.

Due to the above noted negative indicators, I am unable to recommend Mr. XXXX for employment at this time.

Exhibit 4, page 13

Sample Comprehensive Suitability Reports

Psychological Evaluation, Applicant "D"
September 2, 200X

Performance Area Ratings (0-5)

Intellectual ability and academic achievement	2
Background	2
Psychological adjustment	2

OVERALL RATING 6
Employment not recommended

Michael J. Cuttler, Ph.D.
Consulting Psychologist

MJC:mst

Exhibit 5

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West Virginia State Police
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LESI[®] Multi-domain Assessment Battery – Validation

The following is additional information regarding the validation research supporting our pre-employment assessment battery. Toward that end, I am including it with the West Virginia State Police RFQ.

The LESI pre-employment assessment battery is designed to assure both content validity and predictive validity. We have documented content validity of our assessment battery through the administration of a job analysis questionnaire which was completed by 431 representatives of 157 municipal law enforcement agencies.

We have developed content based weights and linkages between these (performance attribute) areas and various scores derived from our assessment battery. These scores (i.e., background and history) and scales (i.e., test scores) are the primary components of the Decision tree and discriminant function equations which form the cornerstone of our outcome predictions. The Discriminant function equations predict the following four outcomes:

- **Selection Process Success** - passing all stages of the typical police employment process (aptitude, oral board, background, psychological) and being placed on an eligibility list.
- **Successful Employment** - selected from list, employed, successfully completing academy and field training, remaining employed for 12 months (subsequent to training) without significant performance problems.
- **Disciplinary Action** - referred for fitness for duty evaluation in conjunction with disciplinary action.
- **Job Dysfunction** – experienced disciplinary action (above squad level) for specific job related infractions.

I have attached the classification matrices upon which these predictions are based. We feel the predictive validity of these equations are substantial.

Michael J. Cuttler, Ph.D.
Director

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CLASSIFICATION MATRIX FOR SELECTION FAILURES

N = 608 APPLICANTS

PREDICTED

OBSERVED

CATEGORY	% CORRECT	Q	NQ	T
Q	77.79	217	55	272
NQ*	85.71	48	288	336
TOTAL	83.10	265	343	608

Q = QUALIFIED FOR EMPLOYMENT
(passed all stages; made eligibility list)

NQ = SELECTION PROCESS FAILURES
(dropped from eligibility list)

*Includes 52 psych failures

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CLASSIFICATION MATRIX FOR SUCCESSFUL HIRES

N = 329 HIRES*

PREDICTED

OBSERVED

CATEGORY	% CORRECT	1/2	3	TOTALS
1/2	69.57	64	28	92
3	95.36	11	226	237
TOTAL	88.10	75	254	329

CAT 1/2 = HIRED, BUT FAILED TO COMPLETE TRAINING & TENURE

CAT 3 = HIRED, COMPLETED TRAINING & TENURE

*All hired candidates received acceptable or borderline psych evaluations

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CLASSIFICATION MATRIX FOR DISCIPLINARY EVALUATION

N = 118

PREDICTED

OBSERVED

	% CLASSIFIED	FFD	CONTROL	TOTALS
FFD	69.5	41	18	59
CONTROL	86.4	8	51	59
TOTAL	77.97	49	69	118

FFD - REFERRED FOR DISCIPLINARY FFD

CON - NOT REFERRED

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7 Pre-Employment Screening of Police Officers

Integrating Actuarial Prediction Models With Practice

Michael J. Cuttler

INTRODUCTION

Psychological assessment of candidates for employment as police officers has become a widespread practice in the United States and most, if not all, police psychologists are either familiar with or directly involved in this practice. In a recent national survey, Cochrane, Tett, and Vandecreek (2003) surveyed a cross-section of small, medium, and large police agencies and found that as many as 90% of the departments surveyed currently use psychological testing in their pre-employment selection. Bartol (1996) surveyed police psychologists in regard to their activities and reported that pre-employment assessment accounts for the highest percentage of time expended (34.3%) among this group of practitioners. Scrivner and Kurke (1996) surveyed police psychologists employed by the 50 largest U.S. police agencies and found that 71% of this sample reported performing pre-employment psychological evaluations as part of their regular activities. Based on employment figures published by the U.S. Department of Justice (2007), it's been estimated that as many as 100,000 pre-employment assessments of police officers are performed each year by as many as 4,500 psychologists (Corey, Cuttler, & Moss, 2009).

The earliest research in pre-employment assessment/selection of police officers developed within the disciplines of I/O and clinical psychology, albeit without evidence of significant interdisciplinary interaction. After 1980, a number of professional presentations and publications also appeared in conjunction with the emergence of forensic psychology as a distinct specialty (Monahan, 1981; Shapiro, 1983; Ziskin, 1981). Subsequently, societal, legal and technological developments (e.g., the Americans With Disabilities Act, 1990; the Civil Rights Act, 1991; and the Equal Employment Opportunity Commission's Uniform Guidelines on Employee Selection, 1978, as cited in Equal Employment Opportunity Commission, 1995) encouraged convergence of research, practice, and perspectives within these disciplines. Convergence of research in this regard is reflected in the literature, particularly through a number of retrospective validity studies and meta-analyses, while convergence in practice is seen through development of specialized test instruments, scales, and other techniques. However, although instrument design and supporting research have converged across clinical, industrial, and forensic disciplines, there has been considerably less discussion in the literature regarding interpretive strategy from the practitioner perspective. From this perspective, consideration of the research in regard to actuarial prediction vs. clinical judgment is particularly apropos.* The actuarial assessment literature can also serve as a conceptual bridge between these disciplines. Such is the purpose, focus, and organization of this chapter.

* *Clinical prediction* refers to the use of an individual (an expert, a clinician) to predict an event. *Actuarial prediction* refers to the use of an actuarial formula to predict the same event (Westen & Weinberger, 2004).

HISTORY*

Dawes (2005), in her article "The Ethical Implications of Paul Meehl's Work on Comparing Clinical Versus Actuarial Prediction Methods," describes a lake in Massachusetts (Webster) that historically had a long Native American name (Chargoggaggoggmanchargagoggcharbunagungamaug) which, according to Dawes, translates to "I fish on my side, you fish on your side, and no one fishes in the middle" (p. 1245). Assessment of police officer candidates has historical roots in both the clinical and the I/O literature, but until the early 1980s, few (if any) fished in the middle of the lake.

Drees, Ones, Cullen, Spilberg, and Viswesvaran (2003) suggest the practice of screening police officers for critical traits may be traced back to 1829 London (see also Chenoweth, 1961; Matarazzo, Allen, Saslow, & Wiens, 1964). Cochrane et al. (2003) and cite the President's Commission on Law Enforcement and the Administration of Justice (1967) which recommended screening of all potential officers at that time. Subsequently, the National Advisory Commission on Criminal Justice Standards and Goals Task Force on Police (1973) recommended a standard screening procedure to include (a) a written test of mental ability or aptitude, (b) an oral interview, (c) a psychological examination, and (d) a background investigation.

These reports are identified in the I/O literature as the primary antecedents of a number of studies published during that time frame which focused on operational definition of job success in police work as well as linkages to skill and ability measures (Cohen & Chaiken, 1973; Dunnette & Motowidlo, 1976; Gordon & Kleiman, 1976; Kent & Eisenberg, 1972; Landy, 1976; Smith & Stotland, 1973).

In contrast to activity in the I/O area, examination of the clinical literature during the 1960s and 1970s supports the impression that the early state of the art in regard to clinical psychological testing and assessment of police officer candidates was characterized by not only a preponderance of descriptive information regarding the psychological characteristics of officers but also a dearth of objective data and/or testable hypotheses regarding personality and psychological findings.

Lefkowitz (1977), in his review of police selection procedures titled "Industrial organizational psychology and the police," cited evidence that the use of psychological/psychiatric inquiry began to emerge as early as 1938 and had been adopted by a number of large municipalities by the mid-1950s (see also Matarazzo et al., 1964). However, Lefkowitz further noted that although psychological tests and interviews were increasingly included in published investigations of police selection during the 1960s and 1970s, substantive findings in the clinical literature were sparse. Contrasting the clinical literature of the time to the I/O studies noted above, he asserts that the results of psychological tests and clinical interviews were rarely, if ever, directly linked to job performance or designed in such a way as to facilitate cross validation and/or other forms of scientific inquiry.

The published reports of clinical evaluations of police candidates' emotional fitness usually contain rich descriptive accounts of typical personality and mental functioning. However, they are often devoid of data other than the clinician's personal impressions.... This is often a function of the fact that the clinicians are assessing qualities for which few objective or standardized measuring instruments exist. (Lefkowitz, 1977, p. 354)

Similarly, Cuttler and Muchinsky (2006) note that interest in pre-employment testing of police officers was limited primarily to physical ability, mental ability, and aptitude predictors (i.e., I/O psychology) until the work of Ogelsby (1957), who suggested that screening of police applicants would be enhanced by evaluation of personality factors. Matarazzo et al. (1964) published one of the few early attempts at clinical evaluation of police applicants that contained

* Robin Inwald, PhD, provided substantive input to this section in regard to historical context, events, unpublished studies, and other professional activities.

objective empirical data (10 clinical instruments including the WAIS, MMPI, Edwards Personal Preference Inventory, Rorschach, Taylor Manifest Anxiety Inventory, and five other tests, as well as a clinical interview), derived from 243 police and fire applicants evaluated within a 3-year period. The study reported descriptive statistics obtained from this applicant pool and concluded that the police and fire departments in Portland, Oregon, were recruiting "superior young men" defined as those with above average intelligence and excellent social adjustment. Although the authors included the finding that these (test) scores did not differ significantly from scores developed from incumbent officers, the study also did not include longitudinal, comparative, or criterion outcome measures. Similarly, no attempts to cross validate or replicate these findings were attempted or appeared in the early literature. As such, the authors were limited in their conclusions in regard to the broader applicability of these findings, beyond noting that the attrition rate of those hired was similar to that reported in another earlier study in St. Louis (Dubois & Watson, 1950), that is, inasmuch as different measures were used in these studies, not much else could be said.

In their review of the history of personality assessment in police psychology, Weiss and Inwald (2010) report increased interest and practice of pre-employment assessment by both police agencies and psychologists during the 1970s and cite a few empirical studies using personality tests in the time period between 1964 and 1979. However, in this regard, the few 1970s studies cited by Weiss and Inwald (Azen, 1974; Azen, Saccuzo, Higgins, & Lewandowski, 1974; Saxe & Reiser, 1976; Snibbe & Montgomery, 1973) were primarily based on the MMPI, and their results were descriptive rather than predictive.

The first cross-validation studies for public safety officers, using the MMPI and the Inwald Personality Inventory (IPI) to predict police job performance, were presented at the 1983 American Psychological Association convention and subsequently published (Inwald, 1983; Inwald, 1988; Shusman, Inwald, & Knatz, 1987; Shusman, Inwald, & Landa, 1984). In addition, from 1979 through 1984, Inwald, with several of her colleagues, reports making over three dozen presentations at state and national conferences that included data from longitudinal prediction research (personal communication, May 14, 2010). In addition to these early efforts, Inwald's subsequent work has advocated for and supported clear validation guidelines and actuarial prediction techniques as well as increased accountability of police psychologists for their pre-employment evaluations (Inwald, 1980, 1982a, 1984a; Inwald & Sakales, 1982; Sakales & Inwald, 1982).

Cochrane et al. (2003) and Varela et al. (2004) cite two large meta-analytic studies that appeared in the early 1990s (Barick & Mount, 1991; Tett, Jackson, & Rothstein, 1991), demonstrating modest relationships between personality test scores and police officer performance which included a number of outcome studies published in the late 1980s (Bartol, 1991; Hiatt & Hargrove, 1988; Inwald & Knatz, 1988; Scogin, Schumacher, Howland, & McGee, 1989; Shusman, Inwald, & Knatz, 1987).

In their review, Weiss and Inwald (2010) suggest that research results in the 1970s were a function of the design, focus, and standardization of the instruments available at the time that were primarily designed for clinical diagnostic use (e.g., the MMPI and clinical diagnosis based on psychiatric patient norms). The authors further attribute this limitation of existing instruments as the impetus for subsequent development of instruments specifically designed and standardized for use in law enforcement populations (IPI, Inwald, 1982b) as well as normative studies, specialized scales (Inwald, 2008), and adaptations of other tests commonly used for this purpose (CPI, Roberts & Johnson, 2001).

While Weiss and Inwald (2010) attributed the lack of empirical findings during the earlier time period to limitations of the instruments, Lefkowitz (1977), in the I/O literature of that time, attributed the absence of empirical work in personality assessment of police officers to a conceptual distinction between *screening* and *prediction*, the former characterizing clinical inquiry and the latter attributed to I/O research. According to Lefkowitz (1977), clinical inquiry of the time was focused on

elimination of those judged to be emotionally unfit... [while making] few attempts to ascertain either the validity of those assessments or the degree to which specific clinical attributes may or may not be related to the job performance of those who pass the screening. (p. 354)

Fishing on the I/O side of the lake, Lefkowitz (1977) went on to describe this distinction as a fundamental difference between the nature of clinical vs. industrial inquiry, that is, “the traditional psychiatric model practiced by clinical psychologists and psychiatrists” (screening/clinical) vs. “procedures which attempt to predict job success as defined by a variety of operational criteria” (prediction/industrial) (p. 354). However, it is interesting that this clinical vs. industrial distinction occurred within the context of another important discussion in the history of clinical psychology and the science of psychological assessment—clinical vs. actuarial prediction.

At roughly the same time that Ogelsby (1957), Matarazzo et al. (1964), and others were publishing early descriptive work on psychological attributes of police officers and—on the other side of the lake—Lefkowitz was noting the scarcity of attempts to investigate or document the relationship of personality test findings and/or specific clinical attributes to job performance, Paul Meehl, a clinical psychologist, professor of psychology, and practicing psychotherapist was defending his “disturbing little book” *Clinical Versus Statistical Prediction* (Meehl, 1954/1996).

Although his work spans a lifetime and his productivity and contribution to the field are legendary, the majority of Meehl’s work in identifying conditions and components of actuarial prediction as well as the consistent, unvarying superiority of this statistical/actuarial approach in virtually all circumstances when compared to clinical judgment, occurred during roughly the same time period that psychological tests were initially used to *screen* police officer candidates. This occurred while reporting results in clinical rather than performance linked terms and during the same time period in which this lack of empirical findings was reported in the I/O literature.

As noted earlier, prior to the mid-1980s, it was common among police psychologists to gather information about employment candidates using primarily clinical instruments and to interpret this information *clinically* (i.e., apply observational, theoretical, and experiential perspectives to synthesize predictive hypotheses) while reporting findings and making recommendations in terms that might—or might not—have relevance to future job performance as a law enforcement officer. However, although it is not surprising that industrial psychologists of the time described these clinical evaluations of police officer candidates as “devoid of data other than the clinician’s personal impressions” (Lefkowitz, 1977, p. 354), it should be remembered that this practice was, in fact, characteristic of the entire (broader) field of clinical psychological assessment at the time, that is, police psychologists in the 1970s and early 1980s were performing assessments (and making predictions) following the same manner of practice as most other clinical psychologists performing assessments in other fields. Borrowing from Dawes (2005), the clinicians were fishing on their side of the lake, while I/O psychologists were fishing on their side (and few, if any, clinical or I/O psychologists were “fishing in the middle of the lake”). Within this context, Meehl’s work in actuarial vs. clinical prediction appeared; subsequently, this was also the context into which specialized assessment instruments, practices, and empirical studies of predictive validity in law enforcement selection emerged.

CLINICAL VS. ACTUARIAL PREDICTION

In 1954, Paul Meehl published his classic book *Clinical Versus Statistical Prediction*. According to Meehl, *clinical prediction* referred to the use of an individual—an expert, a clinician—to predict an event. *Statistical prediction* referred to the use of an actuarial formula to predict the same event (Westen & Weinberger, 2004).

There is a wealth of research, historical review, and commentary dealing with actuarial vs. clinical prediction and associated areas, for example, Grove and Lloyd (2006), Grove (2005), Grove

and Meehl (1996), and Dawes, Faust, and Meehl (1989). Summarizing this entire field is beyond the scope of this chapter. However, it is also well known that Meehl initially examined 20 empirical studies comparing clinical judgment to statistical (actuarial) prediction and found clear-cut and consistent superiority of statistical prediction over clinical judgment. In addition, this finding has been replicated numerous times across multiple studies by Meehl and others over the years, within many contexts, using many instruments with essentially the same findings (Dawes, Faust, & Meehl, 1989; Grove, Zald, Lebow, Snitz, & Nelson, 2000).

In reviewing Meehl's work, Grove and Lloyd (2006) summarized:

Meehl's (1954/1996) conclusion that statistical prediction consistently outperforms clinical judgment has stood up extremely well for half a century. His conceptual analyses have not been significantly improved since he published them in the 1950s and 1960s. His work in this area contains several citation classics, which are part of the working knowledge of all competent applied psychologists today. (p. 192)

It should also be noted, however, that in spite of what amounts to overwhelming evidence in support of actuarial prediction techniques over clinical judgment in virtually all circumstances, Meehl's findings were not universally accepted in practice when first published nor are they universally accepted and incorporated within the broader field of psychological assessment practice today.

Through the years, Dawes, Faust, and Meehl (1989), Meehl (1954/1996), Grove and Lloyd (2006), Grove (2005), and others have described and evaluated a host of arguments asserting the equality and/or superiority of clinical (over actuarial) prediction and have meticulously refuted them. That said, when asked to describe their interpretive strategy, many clinical psychologists respond that they do not routinely make predictions based on actuarial interpretation. Similarly, many police psychologists (a specific subset of "most clinical psychologists") performing pre-employment assessments report use of *actuarially guided* or *hybrid* decision-making practices consisting of routine review, consideration, and aggregation of statistical data (e.g., specialized test scores), followed by intervening expert judgment. Nonetheless, however mainstream, modal, and/or representative of common practice the hybrid assertion may be, it should also be noted that this point of view is neither logically nor scientifically consistent. Statistical and clinical interpretations are mutually exclusive by definition. A decision/prediction can be either actuarial (rule based) or clinical (results modified/enhanced/synthesized by professional interpretation); it cannot be both. There are no true hybrids:

[C]linical and statistical prediction (are) mutually exclusive. If actuarial predictions are synthesized clinically, this is clinical prediction; if clinical predictions are synthesized statistically, this is statistical prediction. There is no such thing as a true hybrid. This point has been repeatedly misunderstood, and in my opinion, often tendentiously and misleadingly argued by some psychologists. (Grove, 2005, p. 1234)

The defining component of actuarial judgment is that actuarial predictions occur *mechanically* as a function of predetermined rules, that is, there is no intervening professional judgment or mediation of any kind, and no other data are considered. Clinical prediction occurs when data are interpreted and predictions are synthesized by an expert using experience, perspective, and/or other clinically mediated processes. Once predictions based on statistical rules are modified by a clinician, they become clinical predictions. The *hybrid* or *actuarially guided* strategy described above (statistical aggregation mediated by expert judgment) is, in fact, clinical prediction and has been so described by Meehl (1986) as "clinical data combination" (Grove, 2005, p. 1234). In the case of police psychology, although the clinician may take advantage of information that is statistically aggregated and/or actuarially derived—for example, specialized test scores—once judgment is applied, the final decision is nonetheless clinical. According to more than 50 years of research, these statistically aggregated clinical predictions are not likely to be as accurate as predictions

arrived at actuarially. In addition, it also should be noted that this same body of research has found that making additional information and/or experience that is not part of the prediction model available to clinical judges is not likely to alter this finding nor improve clinical accuracy in any way. (Dawes, Faust, & Meehl, 1989; Goldberg, 1991).

This confusion regarding hybrid practice may be due to a misperception among some clinicians that actuarial prediction always requires aggregation of quantitative data followed by sophisticated statistical analysis. This is not necessarily the case. According to Meehl (1954/1996), when considering statistical prediction (as opposed to clinical judgment):

[The] distinction is that between the source or type of information employed in making predictions and the manner in which this information is combined for predictive purposes. (p. 15)

The primary clinical vs. actuarial distinction lies between uniform application of structured rules (actuarial) vs. judgment based decision making (clinical), whatever the form of data gathered. Most objective psychological tests yield statistical data, while interviews yield observational data, and personal history questionnaires yield descriptive data. However, observational and descriptive data also can be aggregated statistically just as statistical data (e.g., scores on psychological tests) can be interpreted clinically. The distinction is in the judgment technique, not in the type of data judged. Actuarial models often include *expert rules* derived from experience, albeit applied mechanically, just as clinical models often include statistical data, for example, test scores applied or weighted at the discretion of the clinician. In either event, the *practice activity* of a psychologist utilizing actuarial prediction and the practice activity of a psychologist utilizing clinical prediction are more or less identical, that is, both gather and aggregate the same data protocols (responses to test items and interview questions, review of background information, and so on). The distinction lies in what happens after the data are gathered (the decision/prediction-making process).

Objective test and questionnaire items lend themselves reasonably well to statistical prediction, but these same data can be (and most often are) interpreted clinically. In the same way, responses to structured interview questions, such as those dealing with life history and background information, may be coded and scored (aggregated) for use in statistical prediction models, but they may also be (and often are) interpreted clinically. In actuarial models, scores derived from psychological tests and life history inquiries may be inserted into a series of prediction routines and equations derived from comparison of problem officers with controls (nonproblem officers), resulting in a classification prediction (e.g., problem/nonproblem). In a clinical model, this same information (high/low scores, interview responses) is reviewed and interpreted by a clinician who may code it and apply some *rules of thumb* derived from education, experience, and judgment or from the results of a specialized test. However, unless these *rules of thumb* and coded information constitute 100% of the judgment equation and are completely, consistently, and/or *mechanically* applied in all cases—that is, the clinician does not decide which rules apply and/or with what degree of weight—the prediction process is clinical. Once again, and as noted above, based on the results of multiple studies over the past 50 years, the latter prediction (clinical) when aggregated across multiple cases will not be as accurate as the former (actuarial) (Dawes, Faust, & Meehl, 1989; Grove et al., 2000).

With regard to interview data, both Meehl (1959) and Westin and Weinberger (2004) have presented evidence that structured interview and/or structured scoring techniques that convert (aggregate) clinically derived unstandardized data into structured scored form may be incorporated into actuarial models.

It is also possible that interview-based judgments at a minimally inferential level—if recorded in standard form (for example, Qsort) and treated statistically—can be made more powerful than such data treated impressionistically as is currently the practice. (Meehl, 1959, p. 124)

Similarly, Shedler and Westin (2004) reported development and use of a structured scoring technique similar to Qsort (SWAP-200), completed by clinicians observing psychiatric patients that demonstrated predictive validity superior to psychological tests when the results were calculated actuarially. In this case, clinicians, described as "expert observers," generated data that were subsequently used actuarially, that is, data created by clinical observation when applied actuarially were found to be superior to statistical data aggregated clinically.

On the other hand, responses to *semi structured* interviews and other nonstandardized, nonobjective instruments of inquiry are more problematic for use in actuarial prediction since the responses are not necessarily uniform across all applicants and the resultant data often require some form of interpretive intervention, for example, scoring, coding, and interpretation. However, semistructured interview formats are reported to be in use in a large percentage of law enforcement agencies using pre-employment assessment (Cochrane et al. 2003), and this technique (semistructured interview) is currently specified as a required component of pre-employment assessment in practice guidelines published by the Police Psychological Services Section of the International Association of Chiefs of Police (2009).

As noted earlier, it is estimated that as many as 4,500 psychologists perform as many as 100,000 pre-employment assessments each year (Corey et al., 2009). Because it can be expected that these psychologists are representative of the broader field of clinical practice, it is probably fair to say that, in spite of research evidence to the contrary, a substantial cohort of the psychologists who perform police officer pre-employment assessments each year are making predictions clinically, albeit statistically enhanced by psychological test data. Although many are gathering all the information needed for actuarial assessment, incorporating actuarially derived information (test scores) in their decision-making process, and operating well within the mainstream of accepted practice, on the whole, these predictions are ultimately clinical, not as accurate as they could be, and also not strictly consistent with a substantial body of scientific evidence.

In this regard, Grove and Lloyd (2006) found that many clinicians were actually unaware of these issues and/or untrained in actuarial prediction:

We surveyed a 10% random sample of American Psychological Association Division 12 (clinical) psychologists to learn how familiar they were with the controversy, their views on the matter, and their clinical practices. Of 183 responders (28% response rate), more than 15% had never heard of the controversy or had merely heard that it existed; only 42% had covered the controversy in detail during their training; 10% had not been taught that there were any available statistical prediction methods, let alone what they were or how to use them, and another 6% had only had the existence of such methods mentioned. (p. 194)

Dawes et al. (1989) speculated as to why so few practitioners seemed to have changed practice habits in the face of such consistent evidence and concluded:

Failure to accept a large and consistent body of scientific evidence over unvalidated personal observation may be described as a normal human failing or, in the case of professionals who identify themselves as scientific, plainly irrational. (p. 1673)

In a later article, Dawes (2005) goes even further:

Providing service that assumes that clinicians "can do better" simply based on self-confidence or plausibility in the absence of evidence that they can actually do so is simply unethical. (p. 1245)

However, although clinical interpretation of pre-employment assessment data may or may not be unethical (Dawes, 2005), clinical rather than (actuarial) interpretation of pre-employment assessment data is arguably not consistent with evidence available in the literature, particularly when predicting training performance and/or overall suitability where screen-out baselines of occurrence exceed 20%.

Pre-employment assessment of police officers is a *high stakes* activity for all involved (applicant, employer, psychologist, and community). In addition to the likelihood that these assessments will have a direct and immediate impact on the future employment prospects of the applicant, these assessments are also typically performed within the civil service/public employment arena where financial loss and/or substantial harm may accrue to an employer as well as to the community at large for wrongful employment, wrongful rejection, and/or failing to properly screen. As such, a higher level of legal scrutiny (and jeopardy) is associated with this activity than may be associated with other assessment activities within clinical psychology.

In addition, various legal and professional mandates have emerged since 1978 that have directly impacted the practice of pre-employment assessment (EEOC Uniform Guidelines on Employee Selection, 1978), principles for validation and use of personnel selection procedures (Society for Industrial and Organizational Psychology, 2003), the Civil Rights Act of 1991, and the Americans With Disabilities Act (1990).

These developments (increased demand, high-stakes scrutiny, and statutory requirements) have created a practice climate favoring actuarial assessment, or at least statistical documentation of baselines, validity, and outcome that is more pronounced than in many other fields of clinical psychology endeavor. As such, the past 20 years have seen a *paradigm shift* within police psychology, encouraging convergence of clinical, I/O, and forensic inquiry (pushing us into *the middle of the lake*).

As noted by Grove and Lloyd (2006), Meehl's primary contribution to the field was putting this controversy center stage as well as clarifying the concepts underlying the debate. With regard to police psychology, Meehl's work occurred within the context of legal and societal changes that were placing increasing demands on the practice of pre-employment psychological assessment with regard to job related validity. As a result, police psychologists were driven to examine their techniques and practices in a more quantitative and empirical light than previously, thus setting the stage for research, the creation of new instruments, documentation of the predictive validity of pre-employment assessment, and a general convergence of clinical, I/O, and forensic inquiry.

RETROSPECTIVE RESEARCH

Starting in the mid-1980s, meta-analytic studies emerged that reviewed the available research linking personality tests to job performance and established consensus in regard to the predictive validity of these instruments (Barrick & Mount, 1991; O'Brien, 1996; Schmitt, Gooding, Noe, & Kirsch, 1984; Tett, Jackson, & Rothstein, 1991; Tett, Jackson, Rothstein, & Reddon, 1994). During this time, a number of tests and other instruments specifically designed for use in screening police officers also emerged. Studies of the predictive validity of these tests formed the foundation of validation evidence for use of these instruments in pre-employment screening. According to Varela et al. (2004), these earlier studies found evidence of modest but significant validity predicting police officer performance with personality measures. In general, validity coefficients were in the range of .12 to .25 for independent variables related to a number of scales on a number of tests, most commonly MMPI/2 (Minnesota Multiphasic Personality Inventory), CPI (California Psychological Inventory), and IPI (Inwald Personality Inventory), as well as a wide variety of dependent variables, ranging from job performance outcomes (e.g., training performance, turnover, and retention) to subjective ratings on personality constructs. Varela's study incorporated results from a considerably larger number of studies than previous meta-analyses (78), reported results linked to both objective performance and construct ratings, and found similar validity coefficients (.09-.23) with differential findings grouped by test (MMPI/2, CPI, IPI), study design, and character of the dependent (outcome, criterion) variables.

Another interesting and thorough study was performed by Ones, Viswesvaran, and Dilchert (2004) in conjunction with a project initiated by the California Peace Officer Training and

Standard Commission (POST) and led by Spilberg (2003). The focus of this project was development of a revised psychological screening manual to guide and inform law enforcement agencies in California in proper use of mandated pre-employment psychological screening. As part of this project, Spilberg (an I/O psychologist; 2003) performed a comprehensive job analysis, surveying police agency executives and police psychologists (primarily clinical psychologists) yielding a set of 10 content-linked peace officer psychological attributes. These attributes (constructs) became the psychological screening dimensions that California agencies were advised to incorporate in pre-employment screening. These constructs also became the dependent variables in the meta-analysis performed by Ones et al. (2004). Next, a panel of police psychologists linked these constructs to specific scales on various psychological tests, and these scales became the independent (predictor) variables for the meta-analysis. This study found a somewhat wider range of validity coefficients than reported by previous meta-analyses (0.10–0.40) due, in part, to the careful attention that was paid to development and standardization of constructs and predictor variables. These results also reflected an unusually comprehensive range of police behavior as opposed to earlier meta-analytic studies that aggregated studies with less comprehensive outcome variables. In addition, the study is an excellent example of clinical/I/O convergence as I/O techniques such as critical incident review and job analysis were integrated with clinical expertise. These findings further documented the validity and utility of psychological testing in this setting as well.

When reviewing this body of research, it is important to note that although the independent predictor variables (psychological test scores, typically, MMPI/2, CPI, IPI, 16PF, and a few others) were quite similar across most studies, the dependent outcome variables varied substantially. Some studies used objective job performance as outcomes (e.g., retention and turnover, attendance, training performance, disciplinary action, and so on), while others used ratings of behavior based on constructs (e.g., Big 5 personality constructs as in Barrick & Mount, 1991; California POST 10 as in Ones et al., 2004) that were subsequently linked to job performance. This distinction was noted by Varela et al. (2004), who further found that validity coefficients for construct ratings, which he called “soft” ratings, were somewhat higher than validity coefficients for objective performance.

In as much as the predictor variables in these studies were, in fact, components of test instruments designed to measure psychological constructs in the first place, it would seem that this finding (personality tests are better predictors of construct ratings than actual performance) is not particularly surprising, that is, documenting predictive validity using dependent variables linked to personality may maximize the observed validity coefficient of a test but may not necessarily provide an accurate view of the overall utility of the instrument in question since both the predictor variables and the outcome variables are drawn from the same domain (personality) and hence subject to similar sources of error. This is an important item to remember when considering validation evidence supporting specific personality tests for use in a pre-employment assessment protocol.

PRACTICE GUIDELINES

Of the estimated 4,500 psychologists assumed to be performing some kind of police psychology service, about 200–300 have dedicated a substantial proportion of their practice activities primarily to police psychology and are members of national professional organizations (Corey et al., 2009). One such organization, the Police Psychological Services Section of the International Association of Chiefs of Police (IACP_PPSS), is a group of approximately 200 psychologists whose practice is substantially focused on police psychology. Founded in the mid-1980s, this group publishes a number of practice guidelines, including guidelines for practice of pre-employment assessment. These guidelines have come to be viewed as an expression of “best practice” in this area. First published in 1986, they have been periodically reviewed and rewritten (IACP_PPSS, 1992, 1998, 2004,

2009). The comparative content of each version of these practice guidelines represents a series of interesting *snapshots* of the state of the art of pre-employment assessment in the past 20 years and also reflects the paradigm shift that has occurred regarding validation, performance prediction, and outcome research (and migration to the *middle of the lake*).

The original (pre-employment) guidelines were developed by Inwald (1984a, 1985c, 1986b) and formally adopted by the IACP's Police Psychological Services Section after discussions and modifications at the 1986 IACP convention. In addition to a number of basic practice considerations (choice of tests, qualification of examiners, confidentiality of results, and so on), Inwald's original proposed guidelines also contained a number of direct references to program components necessary to support validation and actuarial assessment. These components included surveys to identify critical job performance attributes, development of specific behavioral outcomes to be predicted, identification of base rates of occurrence of outcomes (to assess "cost of selection" and efficiency of tests over chance prediction), and development of behaviorally based structured (scorable) interview protocols. As such, these components were included in the original published guidelines (Inwald, 1986b); however, with the exception of a general reference to base rates, most of these components supporting research and validation were dropped from revised 1992 guidelines (Inwald, personal communication, December 29, 2009).

The 1992 guidelines did note that tests should be "validated" and assessment results should be expressed in job-related (rather than medical or psychopathological) terms and linked to a "psychological job analysis." In 1998, the term *psychological job analysis*—a term coined by Inwald (1998)—was replaced with more precise terminology:

Data on attributes considered most important for effective performance in a particular position should be obtained from job analysis, interview, surveys, or other appropriate sources. (IACP_PPSS, 1998, p. 1, item 4)

Although the Americans With Disabilities Act (ADA, 1990) was enacted prior to 1992, the 1992 version of the guidelines was silent on the issue of pre/post offer assessment, probably because the Act did not go into effect until 1994. In 1998, specific reference to ADA was added to the guidelines without very much elaboration beyond the admonishment that psychological evaluations should be performed subsequent to conditional offers of employment.

By 2004, the guidelines had become considerably more detailed on the subject of ADA, particularly in regard to "medical" vs. "nonmedical" evaluations, instruments, and methods of inquiry which could be conducted prior to conditional offers of employment. Perhaps reflecting the growing practice of "bifurcation" (nonmedical assessment pre-offer followed by mental health inquiry post-offer):

Personality tests and other methods of inquiry that are not medical by the above definition and that do not include specific prohibited topics or inquiries may be conducted at the pre-offer stage. However, these assessments are alone not capable of determining a candidate's emotional stability and therefore would not constitute an adequate pre-employment psychological evaluation. (IACP_PPSS, 2004, p. 2, item 11)

The 2004 guidelines also contained specific reference to ADA regarding post-offer inquiry:

A psychological evaluation is considered "medical" if it provides evidence that could lead to identifying a mental or emotional disorder or impairment as listed in the DSM-IV, and therefore must only be conducted after the applicant has been tendered a conditional offer of employment. (IACP_PPSS, 2004, p. 2, item 11)

However, beyond asserting that test instruments and the selection processes should be validated in some way, the 2004 version of the guidelines was almost silent about the documentation of validity and/or the process through which this validation should occur.

A test battery including objective, job-related, validated psychological instruments should be administered to the applicant. Written tests selected should be validated for use with public safety candidates. Continuing collaborative efforts by the hiring agency and evaluating psychologist should be made to validate final suitability ratings using behavioral criteria measures. (IACP_PPSS, 2004, p. 2, item 11)

In this regard, it seems the authors of the 2004 guidelines emphasized legal parameters of the pre- and post-offer distinction over technical requirements. However, as noted earlier, each of these guideline versions represent a snapshot of the professional climate at the time of draft. In 2003–2004, the field was just beginning to come to terms with implications of the ADA, particularly as it impacted practice requirements. More practitioners were expanding practice to include bifurcated pre-offer vs. post-offer assessments, and these developments were reflected in the focus of the 2004 guideline version.

As more police psychologists embraced the bifurcated assessment format, a number of new instruments and supporting research emerged. These developments were reflected in the 2009 guidelines, which are considerably more forthcoming in regard to instrument development, validation, and technical issues. As such, this most recent version of the guidelines is another snapshot reflecting the current state of interest and focus in the field.

Starting from one side of the lake and moving toward the middle, in some ways, the 2009 guidelines return full circle to the original version drafted more than 20 years ago (Inwald, 1986b). Since 1992, emphasis in the field has transitioned from defining what should be addressed in a report and the type of tests to be used, to revising the process of assessment to conform to ADA, and finally to development of instruments and processes demonstrably linked to job performance and prediction of suitability in the most accurate and efficient manner. Certainly, the early criticism of clinical assessment without actuarial evidence by I/O psychologists and early forensic psychologists (e.g., Levy, 1967; Shapiro, 1983; Ziskin, 1981) has been resolved:

[They] have not determined what constitutes “emotional suitability” for law enforcement;... (and) hence, psychological tests and psychiatric interviews have not demonstrated much predictive value. (Levy, 1967 as quoted in Lefkowitz, 1977, p. 354)

The 2009 guidelines reflect specific developments in the field addressing, among other things, *research and development of new instruments*:

Nothing in these guidelines should be construed to discourage scientifically legitimate research, innovation, and/or use of new techniques that show promise for helping hiring agencies identify, screen, and select qualified candidates. (IACP_PPSS, 2009, p. 1, item 2.3)

documentation of job relatedness:

Information about duties, powers, demands, working conditions, and other job-analytic information relevant to the intended position, should be obtained by the psychologist before beginning the evaluation process. This information should be directed toward identifying behaviors and attributes that underlie effective and counterproductive job performance. (IACP_PPSS, 2009, p. 2, item 5.1)

validation:

Tests should have a substantial research base for interpretation with normal range populations in general and public safety applicants in particular. Validation evidence should be consistent with *Principles for the Validation and Use of Personnel Selection Procedures* (SIOP, 2003). (IACP_PPSS, 2009, p. 3, item 7.2.1)

integration of predictive information from other domains (e.g., life history):

Information regarding the applicant's relevant history (e.g., school, work, interpersonal, family, legal, financial, substance use, mental health, and so on) should be collected and integrated with psychological test and interview data. (IACP_PPSS, 2009, p. 4, item 9.1)

and use/utility of pre-employment assessment in both nonmedical (pre-offer) and medical (post-offer) contexts:

A pre-employment psychological evaluation may include procedures or tests that are not medical in nature (i.e., designed and used to measure personality traits, behaviors, or characteristics such as judgment, stress resilience, anger management, integrity, conscientiousness, teamwork, and social competence). However, these nonmedical procedures alone would not constitute a complete pre-employment psychological evaluation since they do not include the medical element. (IACP_PPSS, 2009, p. 2, item 3.4)

SPECIALIZED TEST INSTRUMENTS

In addition to research documenting the validity of psychological tests in pre-employment settings and guidelines reflecting best practices to include research and validation, a number of specialized tests and new scales of existing tests designed for specific use in police pre-employment screening emerged during this period. The Inwald Personality Inventory (IPI), originally constructed in 1979 and published in 1982, was the first comprehensive personality inventory designed and validated specifically for public safety officer selection (Weiss & Inwald, 2010) and, as such, was unique in the field of public safety officer screening at that time. In addition to including standard scales identifying psychopathology, the IPI also included scales containing items related to past job difficulties, trouble with the law, absence, lateness tendencies, and alcohol/drug use, among other behavior patterns. The test also reported scores based on public safety officer norms as opposed to general population norms and included capabilities for generating local agency norms and/or those of related job classifications such as hostage negotiators, dispatchers, and so on (Inwald, 1982b). In addition, the report included actuarial prediction equations derived from systematic follow-up data, providing practitioners with predictions of risk for specific performance difficulties (Inwald, 1982b, 1988, 2008).

In this same time frame, the tests most widely in use to screen law enforcement officers were the Minnesota Multiphasic Personality Inventory (MMPI; Hathaway & McKinnley, 1940), the California Psychological Inventory (CPI; Gough, 1956, 1987), and the 16PF (Cattell, 1949). Specialized narrative reports for law enforcement selection based on these instruments were also developed and marketed for these instruments during this time, but the scores were based on general population norms and not specifically linked to job performance attributes specific to law enforcement. In 1981, the Law Enforcement Assessment and Development Report (LEADR) was published, a derivative of Raymond Cattell's 16PF (1949) published by IPAT, with a public-safety-related narrative report (Dee-Burnett, Johns, & Krug, 1981), and in 1984, the Minnesota Report: Personnel Selection System appeared based on the MMPI. For the most part, these tests reported findings in terms of sets of constructs based on conventional clinical interpretations of personality and did not contain direct linkages to specific law enforcement performance attributes.

From 1987 to 1997, several specialized tests were developed by Inwald and her colleagues that focused on specific traits and behaviors germane to law enforcement officer job performance. These instruments also reported public safety candidate norms and utilized actuarial prediction equations. The instruments included the Hilson Personnel Profile/Success Quotient (HPP/SQ, social/emotional intelligence issues; Inwald & Brobst, 1988), the Inwald Survey 5 (IS5, integrity,

and domestic violence issues), the Hilson Safety/Security Risk Inventory (HSRI, unsafe behavior in the workplace; Inwald, 1995), the Inwald Survey 2 (IS2, violence potential; Inwald, Resko, & Favuzza, 1994), and the Hilson Life Adjustment Profile (HLAP, psychopathology; Inwald, Resko, & Favuzza, 1996).

In 1995, a specialized report for the CPI used police applicant norms (Roberts & Johnson, 2001) as a comparison base. This report contained several specialized scales as well as actuarially calculated risk predictions based on comparison of applicant groups (problem officers vs. controls) that were directly germane to law enforcement performance. In most cases, the dependent variables (those that defined problem officers) were based on identification of what the authors described as "selection relevant items" as defined by pre-employment personal history and background findings. Subsequently, however, Roberts and Johnson (2001) enhanced this report to include "true outcome performance measures" such as criterion groups of applicants that lied about illegal drug use during the pre-employment screening process and, subsequently, officers who had experienced "involuntary departures" as well as supervisory issues and other negative job performance events (Roberts, personal communication, December 9, 2009).

Roberts, Thompson, and Johnson (2000) created a special report for the Personality Assessment Inventory (Morey, 2007) contrasting current applicants applying for public safety jobs with norms from a group of applicants in four job classifications (police officer, communications dispatcher, corrections officer, and firefighter/EMT) who successfully completed the job-screening procedures for the same position, were hired, and completed at least 1 year in that position. Like the IPI, the report also contains risk statements in regard to ratings of job suitability made by experienced psychologists conducting psychological evaluations of job applicants for specific public safety positions (e.g., police officer or corrections officer), and added specific types of background problems identified on personal history questionnaires.

In as much as the primary purpose of pre-employment assessment is prediction of on-the-job behavior, predictor domains (in this case test scores/scales) should be independent, since correlation between predictor domains is known to be a source of error in psychometric tests. Similarly, it has also been noted that multiple predictor models containing correlated scores can be expected to have higher standard error values (Campbell & Fiske, 1959; Cureton et al., 1996). As noted earlier in the discussion of retrospective research, prediction error can be expected from any personality test—regardless of the outcome to which it is linked. However, when a test is linked to construct ratings, both the predictors (scores) and the outcomes (constructs) are open to similar sources of error. When personality constructs are subsequently linked to job outcomes they become vulnerable yet again to the same source of error. As such, the observed validity coefficient between test and construct may be greater than a validity coefficient derived from a direct link between test score and job outcome. Similarly, intercorrelation of personality test scales will inflate the apparent validity of a test and/or a prediction model since the correlated scales are vulnerable to similar sources of error.

Apropos to the question of error associated with correlated scales, the Institute for Personality Assessment and Ability Testing (IPAT) has constructed several specialized law enforcement reports based on the 16PF (Cattell, Cattell, & Cattell, 1993) and the PEPQ (PsychEval Personality Questionnaire, Cattell, Cattell, Cattell, Russell, & Bedwell, 2003). Both the fundamental design and the scales of these instruments were derived from factor analysis; hence, these scores are minimally intercorrelated. Due to their independence, such scales are particularly well suited for construction of prediction models. The most recent edition of the 16PF (2003), which assesses normal personality, was redesigned in light of ADA requirements to be nonmedical and can be administered prior to a conditional offer of employment as well as in bifurcated processes (normal assessment pre-offer, mental health assessment post-offer). The PEPQ assesses both normal personality and psychopathology and is designed for use post-offer, and/or in the second phase of bifurcation. Both instruments report scores on four "Protective Service Dimensions" derived from content analysis of the law enforcement literature as well as linkage to Cattell's original 16-factor analytically derived personality scales (Cattell, 1949), and the "Big 5 factors of

personality” (Goldberg, 1993).^{*} Scores on these resultant constructs are significantly related to job outcome, with effect sizes ranging from .08 to .87, and intercorrelations of the scores are minimal (Cattell, Cattell, Cattell, Russell, & Bedwell, 2003).

Similarly, Tellegen et al. (2003), noting that the clinical scales in the MMPI-2 were intercorrelated (and hence a potential source for error in both diagnostic and selection contexts), factor analyzed the MMPI-2 clinical scales and derived a set of nine restructured clinical scales (RC scales) that were not significantly correlated yet, at least as valid in regard to prediction (Tellegen, 2009). Subsequently, Ben-Porath and Tellegen constructed the MMPI-2-RF (restructured form), consisting of a subset of 338 items derived from the original 587 item MMPI-2, incorporating these factor analytic scales along with several higher order scales. Recent outcome research based on objective performance outcomes has been encouraging. Sellbom, Fischler, and Ben-Porath (2007) found that the RC Scales were better at predicting specific behavioral misconduct in peace officers. As such, it would seem the MMPI-2-RF addresses several of the limitations of other personality tests described above (tests linked to constructs not direct outcomes, tests yielding correlated measures). It should also be noted, however, that the MMPI-2-RF contains items that measure emotional stability, and, similar to the PEPQ (Cattell et al., 2003), this test is considered medical under the ADA and must be administered after a conditional offer of employment has occurred and where significant range restriction is likely.

Unlike other specialized reports (e.g., CPI, IPI, Roherts et al., 2001), the MMPI-2-RF reports scores in terms of general population norms rather than law enforcement applicant norms. As noted earlier, incorporation of applicant norms can be useful in interpreting test results primarily due to the fact that substantial differences are likely between responses of police job applicants vs. the general population (Bartol, 1982; Carpenter & Raza, 1987; Hargrave, Hiatt, & Gaffney, 1986; Varela et al., 2004). However, Ben-Porath (2009) points out that these data can also be misleading in that they can mask genuine differences between peace officer candidates and members of the general population, hence facilitating *false negative* predictions (passed when not suitable) based on information that may have been identified upon further probing. Therefore, the MMPI-2-RF reports scores in general population terms while providing descriptive information regarding the range of law enforcement applicant population scores for comparative purposes.

OTHER PREDICTIVE DOMAINS AND INSTRUMENTS; INCREMENTAL/CONVERGENT VALIDITY AND MERGED PROCESSES

In addition to personality tests, several other classes (domains) of independent variables have been found to be predictive of job performance in police officers. The most common of these measures are cognitive ability and life history. Variables from these predictor domains are commonly incorporated into assessment protocols performed by police psychologists. In addition, there is evidence that each of these predictor domains are independent (noncorrelated) and linked to objective performance outcomes.

With regard to general mental ability, Schmitt et al. (1984) conducted a meta-analysis of 99 employees in a variety of occupations, including law enforcement, and reported that mental ability is a significant predictor of success in these occupations. Similarly, in a meta-analytic investigation limited to law enforcement occupations, Aamodt (2004) reported an average correlation of $r = .41$ between mental ability and various measures of academic performance. Likewise, Hirsch, Northrup, and Schmidt (1986) reported an average correlation of $r = .34$ between mental ability and

^{*} The “Big 5 factors of personality” are five broad domains or dimensions of personality that have been identified and documented through extensive research. These factors are considered one of the most comprehensive, empirical, data-driven research findings in the history of personality psychology. The Big 5 factors are openness, conscientiousness, extroversion, agreeableness, and neuroticism. (Neuroticism is also referred to as *emotional stability*.) For detailed information, see Goldberg (1993).

academy training. As such, there is general consensus that cognitive ability is a primary predictor of suitability in law enforcement. Use of this predictor, however, is limited by the fact that scores on many tests measuring mental ability also often questioned in regard to disparate impact* on specific racial groups (Equal Employment Opportunity Commission, 1995); as such, their utility as unilateral predictors can be limited.

Life history events are routinely gathered and evaluated by police psychologists during the assessment process as well. In addition to their relationship to personality information, evidence suggests that these data are not particularly subject to disparate impact on racial or gender groups and can also be a robust and independent predictor of police performance. According to Tenopyr (1994), there is substantial evidence for convergence between life history and personality constructs. In similar fashion, Mumford, Snell, and Reiter-Palmon (1994) stated:

Perhaps the most straightforward answer to the question we have posed covering the relationship between background data and personality is to argue that background data represent little more than an alternative format for personality assessment. (pp. 584–585)

There are basically two ways to report and use life history events in pre-employment prediction. One approach is to identify the occurrence of defined life events in the history of an applicant and measure the degree to which these discrete events (e.g., job terminations) are predictive of a specific outcome (e.g., problem performance as a police officer). A second approach is to link defined life events to personality constructs (e.g., job termination linked to conscientiousness), the latter (construct ratings) becoming the outcome variable. Both approaches are convergent valid predictors of outcome and independent of personality measures (Cutler & Muchinsky, 2006; Sarchione, Cutler, Muchinsky, & Nelson-Gray, 1998; Tenopyr, 1994).

As mentioned earlier, the IPI, first published in 1979, was the first personality assessment instrument that included biographical/behavioral data items such as arrest history, driving record, work history, and substance use as well as scales identifying the presence of psychopathology and antisocial attitudes. These inquiries were presented as true/false test items and were linked to constructs in the context of a personality inventory rather than in an instrument designed to develop discrete descriptive detail about life events such as a personal history questionnaire. As noted, although responses to individual items (e.g., "I received good grades in school") were qualitatively reported (i.e., in a critical items listing), the responses were quantitatively linked to personality-based construct scales (e.g., conscientiousness) and these construct scores were the primary variables in the subsequent validation studies (Inwald, 1982b, 2008).

Similar to the preceding discussion, but taking a more clinical approach to use of life history information, Johnson and Roberts (2006) constructed the PsyQ, which they describe as a self-report questionnaire that provides life history information pertinent to the evaluation of applicants for public safety positions. The questionnaire contains 340 questions presented in multiple-choice formats, containing a varying number of response categories, as required to reflect the full range of relevant responses to each question. The results (responses by applicant to multiple-choice questions) are organized into problem categories developed by a panel of psychologists. The scores of these items are aggregated into these categories and are reported in relative frequency terms, comparing an applicant's response to frequencies in a database of previous applicants. According to the authors, the information developed by this questionnaire is primarily intended to help clinicians determine the extent to which the findings from psychological testing are corroborated by actual behavior. As such, although likely to provide utility as a guide to a psychologist in conducting interviews, the

* In U.S. employment law, *adverse impact* is also known as *disparate impact* and is defined as a "substantially different rate of selection in hiring, promotion, or other employment decision which works to the disadvantage of members of a race, sex, or ethnic group" (EEOC Uniform Employee Selection Guidelines; Questions and Answers; Section 16. <http://www.uniformguidelines.com/uniformguidelines.html#129>).

questionnaire's utility and/or potential for convergent validity or as an independent predictor of outcome in an actuarial model has not yet been investigated.

With regard to use of discrete life history events as an independent outcome predictor, Sarchione et al. (1998) constructed a list of critical life events identified by subject matter experts (background investigators). These subject matter experts also weighted these items in terms of criticality and predictive value when reviewing police applicant backgrounds, creating quantitative scales for employment, criminal, and substance-related items. The investigators then examined personnel records and internal affairs files and identified groups of problem officers (who experienced discipline, or were terminated). After correction for range restriction, the study found effect sizes from 0.40 to 0.74 for specific life event scales as predictors of various on-the-job disciplinary actions. The study also included CPI scores that yielded effect sizes from 0.48 to 0.67 as predictors of these outcomes as well. Cuttler and Muchinsky (2006) cross-validated these findings and added a fourth scale (veracity) corresponding to omissions, errors, and discrepancies in reported information as well as documenting predictive validity for a broader range of outcomes (failure to complete training, termination, selection failure). These studies found consistent evidence that the life history scales were essentially independent of (not correlated with) personality tests and/or cognitive ability measures, nor were these life history scales (employment, criminal, substance, veracity) correlated with each other. As such, the authors suggested that substantial incremental validity may be derived from combining life history and personality test scores.

Achievement of incremental validity through use of scored life events requires gathering and aggregating life history data in a reliable and efficient manner. However, unlike psychological tests to which subjects usually respond in a yes/no, true/false, or multiple-choice manner, a number of unique intervening variables impacting the practice and quality of life history assessment are not necessarily present in personality measurement. Cuttler (2007) notes that the accuracy and utility of a life history questionnaire are affected by the way the questions are formulated and presented, the manner in which the responses are scored, and the attitude or bias of the respondent who completes the questionnaire.

According to Cuttler (2007), there is also likely to be considerable and understandable (conscious and unconscious) motivation on the part of job applicants to present themselves in as favorable a light as possible. The effect of this motivation in regard to psychological tests is also well known and documented (Anastasi, 1988). However, although it has been suggested that this *impression management* effect does not necessarily alter the fundamental findings of psychological tests, particularly in *normal* populations (Ben-Porath, 2009) and/or when interpreting test results actuarially (Grove, 2005; Grove & Meehl, 1996), the *transparency* of life history questions is such as to render this (bias) effect considerably more critical when aggregating life history information.

Direct questions regarding life history are considerably more *transparent* to an applicant than personality items, and this transparency is likely to affect applicant response. For example, the scoring, interpretation, and/or implication of a true/false item—such as “From time to time I go to the movies by myself”—is probably not as apparent to a job applicant as “Have you ever been fired from a job”? As a function of this transparency, bias, and/or impression management motivation, the quality of life history data derived through self-report questionnaires is fundamentally dependent on the design of the instrument used to collect this data as well as its ability to minimize response bias. In this regard, the simplest and most straightforward life history questionnaires can also be the most open to bias (Cuttler, 2007).

The simplest way to gather life history information is to construct a series of questions to which an applicant responds in a binary (yes/no; true/false) format similar to that of a psychological test. This approach has the advantage of being easily machine scored and aggregated. Some more sophisticated versions of these questionnaires may present these items in conditional *branch/stem* format (e.g., have you ever been fired from a job? <if yes> how many times?). However, response to these items will also depend on the applicant's interpretations, of the questions, for example, an applicant might respond *no* to the question above because “I was not fired, but after I showed up late

for the third time, I agreed with my boss that it was best that I resign." Even in a more sophisticated questionnaire that allows for text entry of an explanation such as this, in order to assign an accurate score, the response must be read and interpreted. Although these omissions, interpretations, and discrepancies will usually be identified and reconciled later in the selection process (i.e., a background investigation and/or upon post-offer interview with a psychologist), these limitations are also likely to effect the reliability and utility of the life history data, particularly if these data are derived from a questionnaire and, in conjunction with psychological test data, placed in an actuarial model for screening purposes.

Another way to develop life history information is to create a set of critical items and then manually review a comprehensive personal history questionnaire (similar to those used in most background investigations) that has been previously submitted by the applicant. The life history data are then derived and/or extracted from narrative information rather than directly solicited from the applicant. This approach has the advantage of being *passive*, that is, not requiring or depending on interaction with the applicant. However, this approach has two major drawbacks. First, it is tedious and time consuming, requires considerable human intervention, is open to error and, as such, is of questionable utility when screening larger applicant pools. Second, although there are fewer direct transparent questions, this approach is still open to the sources of response bias described above (interpretations, omissions, and discrepancies) on the primary document (the personal history questionnaire).

Electronic (online) administration of personal history questionnaires can mediate a number of these drawbacks. Specifically, omissions can be easily eliminated by requiring responses. Through simple programming, *branch* questions can be conditionally presented based on applicant responses to stem questions and applicants can be constrained from *cruising* the questionnaire and/or anticipating questions and changing responses. Similarly, additional and clarifying information can be elicited during online administration that can be stored in a database and/or easily read. However, aggregating and interpreting this information would still require human intervention.

In 2001, Cuttler developed an online personal history questionnaire using patented technology that addressed these issues (Cuttler, Cuttler, & Seddon, 2008). The questionnaire also addressed the more fundamental issues of response bias by automating the process by which scored life history information was extracted from applicant-entered personal history information without asking direct questions. In addition to stem/branch conditional question presentation, programming was included that parsed and organized data into defined units (called life events) which were then linked together by logic to create scored items. The application could also intelligently scan text responses as well as report veracity, that is, discrepancies both within the questionnaire and when responses are compared to previous administrations. Inasmuch as this questionnaire reports both quantitative scores based on weighted life history events as well as detailed descriptive information input by applicants and stored in a database, the results are useful for both actuarial decision making and for facilitating background investigations. Cuttler (2000) also developed a series of five actuarial prediction equations using combinations of life history and psychological test data (CPI). This merged process, called the Multi Domain Assessment report, is an actuarially scored report that takes advantage of the opportunities for incremental validity available from combining these noncorrelated predictors derived from multiple domains (life history, personality, and cognitive/educational).*

PRACTICAL CONSIDERATIONS FOR DEVELOPMENT AND USE OF ACTUARIAL PREDICTION MODELS

Pre-employment assessment of police officer candidates is particularly well suited for development and use of actuarial prediction models. In this regard, the demographic characteristics of the applicant pool; training requirements, duties, and critical performance attributes of police and public

* The author (Michael J. Cuttler, PhD) is a principal owner of LESI® (Law Enforcement Services, Inc.), publisher of onlinePHQ® and Multi Domain™ Screening Report, as well as owner and primary named inventor in U.S. Patent 7,346,541 relating to these instruments.

safety jobs are reasonably common across employing agencies. Similarly, operational definition of dependent variables (specific negative selection and job outcomes), cross-validation, and follow-up are greatly facilitated within this population since policies and practices across police agencies are often required by statute and/or traditional sense of standard operating procedure. Finally, the emerging practice of *bifurcated assessment* (nonmedical ability/personality screening performed pre-offer; emotional stability assessment performed post-offer) is also particularly well-suited for actuarial prediction since in the pre-offer stage, larger applicant pools must be screened efficiently and inexpensively, and negative outcomes (e.g., failing to complete components of the selection process) occur at substantially higher base rates while smaller groups are screened for mental health issues (which occur at substantially lower base rates) on a post-conditional offer basis.

Actuarial assessment is a process by which predictor and outcome variables are identified, rules are applied, predictions are made, outcomes are recorded, and rules are modified based on these observed outcomes. Although identification/development of replicable empirical predictors/models, identification of criterion variables, and valid evaluative research designs are required to incorporate actuarial prediction techniques into practice, psychologists do not necessarily have to create new assessment protocols, that is (and as noted earlier), in many cases the activity of the psychologist need not change—simply the prediction (aggregation) technique would be modified. For identification of variables, the choice of outcome (dependent) variable should be made with reference to the independent (predictor) variables chosen and the manner in which the results and predictions will be reported to the agency. Specifically, when choosing test instruments, if the psychologist chooses to report results and make predictions based on construct ratings (e.g., Psychological Performance Dimensions similar to those described such as POST 10 [Spilberg, 2003] or Big 5 [Goldberg, 1993]), then test instruments might be chosen that, according to their technical manuals, have been designed and validated with primary reference to these construct ratings (e.g., 16PF Protective Service Reports, MMPI-2-RF, and PAI). If the psychologist chooses to make predictions and reports based on actual job outcomes, then instruments designed and validated primarily against these criteria should be included in the battery (e.g., IPI, CPI Public Safety Report, Multi Domain Screening Report, and MMPI-2-RF).

However, it is also important to note that construct-based predictions can certainly be derived from scores on tests primarily identified with objective outcome. Similarly, direct performance predictions can also be made based on construct-linked test scores. This practice is indeed common, is supported by independent research findings (e.g., Ones et al., 2004), and is even recommended by some training and standards groups (Spilberg, 2004). However, doing so (creating construct-based predictions rather than specific job outcome predictions) from scores on instruments based on general personality constructs also requires that the psychologist then create or adopt rules for converting those scores to job-related construct ratings. Similarly, when used in actuarial prediction, these conversion rules (from general personality constructs to job-specific outcomes) must be *mechanical*, that is, applied to all cases equally and not modified by discretion or judgment of the psychologist.

As stated in the current IACP-PPSS guidelines:

5.1. Information about duties, powers, demands, working conditions, and other job-analytic information relevant to the intended position, should be obtained by the psychologist before beginning the evaluation process. This information should be directed toward identifying behaviors and attributes that underlie effective and counterproductive job performance.

5.2. The psychologist should consult with the hiring agency to establish selection criteria and the agency's level of acceptable risk for problematic behaviors. (sections 5.1, 5.2, pp. 3–4)

And the guidelines further stated:

10.2 Rating and/or recommendation for employment based upon the results of the evaluation should be expressly linked to the job-analytic information referenced in paragraphs 5.1 and 5.2. (section 10.2, p. 5)

Many hiring authorities (indeed, many state statutes) also require that the psychologist provide a specific hiring recommendation. Other authorities require an overall score or rating and then set their own hiring policy (the score at which they will hire/reject). In any event, the primary components to be determined for any prediction model are the nature of the outcome (construct vs. specific), the instruments to be used, and the rules to be applied. However, in actuarial decision making, the overall rating will always be the result of a rule set that is uniformly and *mechanically* applied.

As noted earlier, the actuarial rules constructed and applied need not be statistically sophisticated. Rather, they can be *expert* rules derived by the clinician based on experience, quantitative review of past cases, or both. If applied in an actuarial manner, these predictions are still quite likely superior to clinical predictions (Grove & Meehl, 1996). The critical point is that once established, these rules must be applied uniformly rather than based on the discretion of the clinician. Psychologists applying these rules should carefully gather outcome information. Once outcomes are observed, rules can be modified at reasonable intervals to increase accuracy.

Although the evidence shows that actuarial prediction models are superior to clinical predictions in most situations, it is also important to remember that no predictor, rule, or model is perfect. Some level of error is always expected to be associated with any predictor or prediction model, including well-constructed models using independent noncorrelated predictors. In some situations (e.g., prediction of events with low baseline of occurrence), no prediction model—neither clinical nor actuarial—will operate efficiently. The validation coefficients and effect sizes reported in the earlier sections of this chapter account for only a fraction (albeit a statistically significant fraction) of the variance observed on outcome, and the acceptance of error is implied when designing any selection process. In accepting the existence of error, it is further implied that the consequences of not screening should be greater than the consequences of screening. This assumption is certainly apropos to law enforcement where the possibility of harm to others is directly apparent; hence, screening is justified. In addition to correlated measures, other sources of error associated with pre-employment prediction are functions of the design of the test or assessment instrument, the nature of the population assessed, and the base rate of occurrence of the outcome to be predicted.

Regarding base rate of occurrence, Meehl (1954/1996) and others (Finn, 2009; Westen & Weinberger, 2004) note that actuarial prediction is most accurate when baseline of occurrence approaches 50% (each alternative in the prediction model is equally probable). Unfortunately, this is rarely the case in law enforcement, as the frequency of occurrence of the negative behaviors and outcomes to be predicted usually range from below 5% for serious violations (e.g., integrity, sexual misconduct, and termination for cause) to above 20% for training failure and minor discipline to above 35% for selection process failures (Cuttler & Muchinsky, 2006). In this regard, Streiner (2003), when comparing accuracy of actuarial models that *screen out* negative outcomes to those that *screen in* positives, found that the former (screen-out-negatives model) is likely to be more accurate in low-baseline settings (occurrence < 50%) and the latter (screen-in-positives model) is more effective in high-baseline settings (where occurrence > 50%). This finding is consistent with pre-employment screening models in police psychology designed primarily to identify problem officers (i.e., screen out) via actuarial prediction. However, it is also likely that this approach will be less accurate in models that attempt to screen in positive traits (e.g. leadership).

In a prediction model used for pre-employment screening, the prediction is usually expressed in terms of a binary classification (suitable/not suitable; problem/nonproblem; pass/fail training, and so forth). The overall utility of the prediction model is a function of the total number of accurate classifications that result as well as number of errors that are made, particularly in regard to screening out otherwise qualified applicants. Accurate classification includes true positives (targeted outcome predicted and occurs), true negatives (target outcome not predicted and does not occur), false positives (target outcome is predicted but does not occur), and false negatives (targeted outcome occurs but is not predicted). The base rate of occurrence of the targeted outcome directly affects the rate at which each of these classifications occurs. In general, the efficiency of a prediction model is

a function of the ratio of false positives to true positives as compared to the ratio of targeted occurrence to nonoccurrence (Meehl & Rosen, 1955). In low-baseline situations, a test or set of rules can easily seem accurate in identifying true positives but will nonetheless be worse than, or no better than, chance in terms of overall accuracy.

The goal of a screen out selection model is to maximize the hit rate (prediction of targeted outcome or true positives) while minimizing the rate at which otherwise qualified applicants are screened out (false positive). The rate at which otherwise qualified applicants are screened out due to error is also known as the *cost* of selection. Given the critical responsibilities of the law enforcement job and the potential harm to society that can accrue in the absence of screening, some level of error (or cost of selection) is usually seen as acceptable. However, this issue is also often the subject of debate when screening decisions are challenged legally, particularly in regard to EEOC requirements. Whether creating a set of actuarial assessment rules or considering information for clinical judgment, the base rate of occurrence of the targeted attribute plays a major mediating role in the overall accuracy of the screening instruments, model, and/or decision.

As noted above, predictions in pre-employment assessment are fundamentally classification problems in which one of two conditions are predicted (e.g., problem/no problem). As shown in Table 7.1, two condition classifications yield four outcomes: correct prediction of problem (true positive), correct prediction of no problem (true negative), incorrect prediction of problem (false positive), and incorrect prediction of no problem (false negative). To appreciate the effects of baseline on classification, one must consider the ratio of true positives (hits) to false positives (cost) in light of base rate of occurrence, and results must be compared to the overall accuracy of what would occur by chance (without screening or testing; Finn, 2009).

Table 7.2 illustrates an example of classification in a low-baseline situation: predicting integrity violations whose base rate is thought to be 5% or lower among police officers (Boes, Chandler, & Timm, 1997). In Table 7.2a, 1,200 applicants are randomly assigned to cells based on this base rate; that is, 60 applicants are randomly predicted to be violators. Given the 5% base rate, only 3 (.25%) will be true positives or actual violators, 57 (4.75%) will be false positives and potentially screened out, while 57 (4.75%) actual violators will be screened in (false negatives). In addition, 1,083 (90.25%) true negatives will be predicted, making the overall accuracy of random selection 90.5% and the cost of selection using this random procedure instrument 4.75% of qualified applicants screened out (false positives).

A test or a model can claim to be very accurate in identifying true positives, but identification of true positives alone does not indicate that the test is more accurate than chance (or not screening) in terms of overall accuracy and cost. Table 7.2b represents the results of a hypothetical test (or rule) that claims to be 90% accurate in identifying violators correctly in terms of true positive. As such,

TABLE 7.1
Classifications of Predictions and Outcomes

	Predicted	Not Predicted
Observed	True positive	False negative
Not observed	False positive	True negative

Note: A predicted outcome (e.g., integrity violation) may be observed to be true (true positive) or false (false positive). Similarly, a prediction of no outcome (e.g., not a violator) may be observed as false (false negative) or true (true negative). In general, the efficiency of a prediction model is a function of the ratio of false positives to true positives as compared to the ratio of occurrence to nonoccurrence (Meehl & Rosen, 1955).

TABLE 7.2
1,200 Officers Integrity Violations (Base Rate = 5%)

(a) Randomly assign (base rate = 5%)

	Predicted integrity violators	Predicted nonviolators
Actual integrity violators	3 (true positives) or 0.25%	57 (false negatives) or 4.75%
Actual nonviolators	57 (false positives) or 4.75%	1083 (true negatives) or 90.25%
	60 (5%)	1140 (95%)

Chance assignment is 90.5% accurate (1086/1200).

(b) Test for predicting integrity violators (90% accurate for true positive) (base rate = 5%)

	Predicted integrity violators	Predicted nonviolators
Actual integrity violators	54 (true positives) or 4.5%	6 (false negatives) or 0.5%
Actual nonviolators	118 (false positives) or 10.4%	1022 (true negatives) or 85.1%
	172 (14.3%)	1028 (85.7%)

Test is 89.7% accurate (1076/1200).

Note: In this case, the test is slightly less accurate than chance, but has more than twice as many false positives. Even if the test identified all violators (true positives = 60, false negatives = 0), overall accuracy would be 90.2%—still less than chance with twice as many excluded due to the false positive rate.

57 of the 60 violators (90%) are identified (true positives); however, this test/rule actually identifies a total of 172 applicants (14.3%) as violators, erroneously classifying 118 nonviolators (10.4%; false positives). The overall accuracy of this test is actually slightly *less* than chance (89.7%), and the *cost of selection* represented by this test is 10.4% (118/1,200) or more than *twice as high* as would be expected by chance (4.75%). Given this rate of false positives (and the low base rate), this would hold true even if the test were 100% accurate in identifying violators, that is, its cost of 10.4% would be twice as high, while its overall accuracy would improve only slightly to 90.2% and still be less than chance (90.5%). In short, given the low base rate of occurrence of integrity violators (5%), a test/rule must produce significantly less than 4.5% false positives to improve over chance.

Before using a test that claims to have high accuracy in identifying negative performers, psychologists and hiring authorities would be well advised to carefully review complete data in regard to both false positives and false negatives in the test's technical manual prior to building decision rules based on specific test scores. This is particularly salient given the current legal environment (EEOC, 1995) which stresses minimizing cost or false positives (screening out otherwise qualified applicants) since even if the test were perfect in identifying true positives, the hiring authority would also be responsible for minimizing the rate of false positives (cost).

When predicting events with higher baseline, tests and models can be considerably more accurate than chance. In this regard, Table 7.3 represents predictions of events with somewhat higher base rates—for example, incidents of on-the-job discipline to include relatively minor reprimands as well as serious incidents—known to be around 20% (Sarchione et al., 1998). Table 7.3a represents a *chance* assignment matrix of the same 1,200 officers whereby 240 (20%) are randomly predicted to experience some form of disciplinary action. Given a 20% base rate, 48 of the random assignments will be true positives and 192 (16%) will be false positives. Similarly, 192 disciplined officers (16%) will be randomly assigned as false negatives and the remaining 768 (64%) will be true negatives. The overall accuracy of this (random) classification procedure (68%) is significantly less, and the cost (16% false positive) significantly higher than what was observed in the earlier situation when the base rate was 5%. The difference in accuracy of random assignment is a function of the higher base rate and, consequently, the higher number of false positives.

Table 7.3b represents the classification results that would be obtained from the same test described earlier that claimed 90% accuracy in true positives when predicting a 20% baseline outcome. Now

TABLE 7.3
1,200 Officers Minor Discipline (Base Rate = 20%)

(a) Randomly assign (base rate = 20%)

	Predicted integrity violators	Predicted nonviolators
Actual integrity violators	48 (true positives) or 4%	192 (false negatives) or 16.0%
Actual nonviolators	192 (false positives) or 16.0%	768 (true negatives) or 64.0%
	240 (20%)	960 (80%)

Chance assignment is 68% accurate (816/1200).

(b) Test for predicting integrity violators (90% accurate for true positive) (base rate = 20%)

	Predicted integrity violators	Predicted nonviolators
Actual integrity violators	216 (true positives) or 18%	24 (false negatives) or 2%
Actual nonviolators	118 (false positives) or 9.8%	842 (true negatives) or 70.2%
	334 (27.8%)	866 (70.4%)

Test is 88.1% accurate (1058/1200).

Note: Due to the higher base rate, the test is now significantly better than chance in terms of both accuracy and false positives. A change in the base rate of occurrence of the dependent (outcome) variable from 5% (integrity violators) to 20% (minor discipline) has a substantial effect on the accuracy of a test that identifies 90% of true positives as well as on the cost of selection (false positives).

the test identifies 216 true positives (90% of 240) and the same 118 false positives as were identified in the earlier condition. In this case, the overall accuracy is 88.1%, which is substantially greater than the chance model, while the false positives (cost) represent only 9.8% or slightly more than half the rate expected by chance (16%). These data illustrate the importance of base rate when evaluating instruments as well as when selecting outcomes. In the case of low-base-rate outcomes such as discipline for integrity, violence, sexual misconduct, and so forth, the utility of attempting to screen applicants in order to predict these specific outcomes is questionable. However, accurate prediction of higher base rate occurrences—such as failing background investigation, failing to complete training, recycling in field training, and/or expanding the definition of discipline to include less serious infractions—is considerably more practical, particularly for use in pre-offer screening, given properly designed instruments, uncorrelated predictors, and models.

In addition to correlations between measures and base rates of occurrence, a third related issue affecting the validity of questionnaires, tests, and prediction models involves characteristics of the applicant pool when compared to the general population. Although the pool of individuals that apply to law enforcement agencies is in many ways similar to the general population, given the general requirements of the job, a certain degree of range restriction is to be expected within the sample due to educational requirements, credit, and criminal history requirements, illegal drug use, and so on. As noted by Ben-Porath (2009), range restriction may also effect test and questionnaire interpretation when using instruments that report scores in relative frequency terms, for example, some personal history questionnaires and some test instruments that calculate scaled scores from applicant norms without reference to general population norms.

Failure to take range restriction into account can cause misleading results, particularly in regard to disregarding or eliminating potentially useful predictors as well as to inflate the apparent validity of a particular test and/or overstate (or understate) the significance of a score that deviates from population norms. Similarly, correction for range restriction is particularly important when considering studies that use concurrent designs (study of applicants who were hired as opposed to all who applied). In this regard, there is likely to be significant differences in range between a group of applicants who have been hired after successfully completing a screening procedure that includes

testing, background investigation, interviews, and so on, as well as the larger group of applicants who either failed to successfully complete or dropped out of the hiring process.

Given reliable quantitative measures, correcting for range restriction effects is a relatively straightforward statistical procedure that requires comparison of general population descriptive statistics for an instrument or measure to applicant pool statistics (Hunter & Schmidt, 1990). Range restriction within the law enforcement pre-employment assessment literature has been reported and corrected in the work of several researchers in this area (Cuttler & Muchinsky, 2006; Ones et al., 2004; Sarchione et al., 1998; Sellbom et al., 2007; Varela et al., 2004). However, when considering validation evidence and/or research conclusions regarding specific instruments, psychologists and other hiring authorities should carefully review the degree to which range restriction may have affected results.

SUMMARY AND CONCLUSIONS

Research supporting the practice of pre-employment psychological assessment of police officer candidates has its historical roots in clinical, I/O, and forensic psychology. The development of this area mirrors the field of assessment in general and is characterized by a convergence of these disciplines as well as the mediating effect of societal conditions and legal developments. In the past two decades, pre-employment assessment of law enforcement officers as an area of interest, inquiry, and professional practice has emerged from its historical roots to become a broadly regarded and relatively popular area of both practice and research. Proficiency in this area calls for a broad understanding of clinical, forensic, and I/O psychology principles. In addition, the work of Paul Meehl and others in regard to actuarial vs. clinical prediction is particularly relevant.

The fundamental distinction between actuarial and clinical prediction is not necessarily the data developed or the practice protocol (almost always test scores, life history data, and interview responses). Rather, the primary distinction is that the latter (clinical) involves intervention by professional judgment, while the former (actuarial) involves consistent application of rules in all cases. Actuarial prediction rules may be quantitatively sophisticated, they may be constructed as a set of expert rules derived from professional experience and review of the literature, or they may be a combination of the two. In any event, when using any reasonably developed model, a substantial body of research documents the superior accuracy of this (actuarial) approach over clinical prediction, particularly when base rates of occurrence for targeted outcomes exceed 20% as is the case with background/selection failure, training failure, and disciplinary action (Cuttler & Muchinsky, 2006).

Development of an actuarial model does not necessarily require amassing large amounts of data or incorporating sophisticated statistical techniques. Test instruments and personal history questionnaires designed to support actuarial assessment are widely available and simple models can be built by consistently applying expert rules to actuarially derived data. Practice protocols need not be changed—simply the process by which the data is aggregated. Practitioners need only develop rules, consistently apply them, conscientiously follow up with results, and modify the rules if indicated.

No predictor or prediction model is perfect: all are subject to error, and all are sensitive to and affected by error sources such as correlation between predictors, population range restriction, and base rate of occurrence. Certainly, there are some situations—for example, low-base-rate outcomes such as integrity violation, sexual misconduct, and so forth—in which neither actuarial nor clinical models are likely to predict at levels greater than chance. There are also rare situations such as Meehl's *broken leg* case (Meehl, 1954/1996), where additional information will trump actuarial models.* However, these situations are few and far between (Grove & Lloyd, 2004). All things

* Meehl (1954/1996) presented his classic *broken leg case* as an example of one of the few times clinical prediction would outperform an actuarial model. In this case, Professor A is known to have gone to the movies every Tuesday night for the past year. The actuarial model would therefore predict that Professor A would go to the movies next Tuesday. However, on Monday, Professor A has broken his leg and is forced to wear a cast that does not allow him to sit in a theater seat. The "clinician" observes this fact; the model cannot.

being equal, and in most settings associated with pre-employment assessment, research findings consistently report superiority of actuarial prediction over clinical judgment.

In the past two decades, legal regulations and professional guidelines have emerged that have clarified the need for scientifically prudent practice and supported use of new and more efficient assessment protocols (e.g., bifurcated assessment) and, as such, encouraged the emergence of a substantial body of scientific knowledge. Similarly, consensus has emerged in regard to the predictive validity of various psychological tests, and research has been performed documenting the relevance of various outcome criteria both in terms of performance-linked personality constructs and actual job outcome. There have also been several new instruments developed using other predictor domains (e.g., life history and merged processes) that have yielded evidence of convergent validity. All of these developments are consistent with the use of actuarial models. The distinctions between I/O and clinical practice and research have largely evaporated (we are all pretty much fishing in the middle of the lake these days), and the current economic situation within the public sector has created the need to perform these services in an efficient manner. Given the emergence of bifurcated assessment processes and the higher base rates associated with well-defined outcomes, as well as the existing body of knowledge regarding the superior accuracy of rule-based (actuarial) assessment, the state of the art at the present time begs the adoption of actuarial assessment principles into the practice of pre-employment assessment.

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Serving and protecting

Psychologists from the VA to the FBI use agency and employee assessments to improve government functioning.

In pursuit of better cops

Michael Cuttler, PhD, always fancied himself as a bit of an entrepreneur: He liked the competitiveness of business and the chance to “keep score” of his success. That drive led the North Carolina-based psychologist to leave private practice and found his own company, Law Enforcement Services Inc. (LESI).

LESI consults with law-enforcement agencies, such as municipal police departments and state highway troopers, by leveraging technology to conduct “pre-employment suitability screening evaluations” of potential employees. Cuttler has seen his 16-year-old company grow to serve more than 800 law-enforcement agencies in 14 states.

When he began the company, Cuttler provided about 200 local North Carolina law-enforcement agencies with psychological services such as employee counseling and critical response training.

But LESI decided to concentrate exclusively on pre-employment services. Thanks to the Internet, LESI narrowed its practice but broadened its reach.

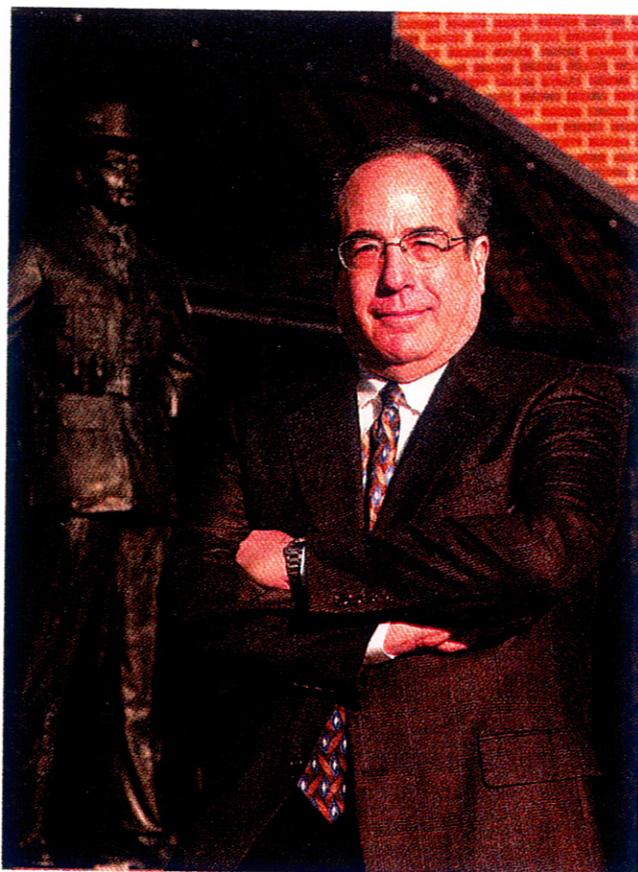
“Instead of doing everything for agency A, we do one psychological service for agencies A through Z,” Cuttler says.

Cuttler screens potential officers using two patent-pending instruments. These instruments ask applicants about their employment and criminal history, among other factors.

His method screens large groups of potential law enforcement applicants and leaves a pool of strong applicants—for example, reducing 200 applicants to 30—but still allows local psychologists to complete one-on-one evaluations with the agency’s final candidates, Cuttler says.

“The tests are cost-effective and based in psychological science, which saves clients money yet yields qualified applicants,” he says.

LESI also has compiled a database of more than 60,000 test results from applicants over the years. Cuttler meets with clients to learn which applicants weren’t hired, which were and who later experienced on-the-job problems, such as disciplinary action for use of force. Then, like an insurance company might do, LESI sorts the applicants based on their outcomes into casualty groups to discover what characteristics make people likely to get rejected, hired or become top cops.



Dr. Michael Cuttler's company screens potential law enforcement officers for more than 800 agencies in 14 states.

MIKE TRASTER



Make The Right Choice
www.lesi.com

Exhibit 7

These exhibits contain proprietary confidential information which should not be photocopied, distributed, nor included in any public release or for any purpose other than the evaluation of this quote (DPS1600000008).

In this regard, please note that public disclosure of this information would violate the ethical principles and professional conduct guidelines published by the American Psychological Association as well as the Code of Fair Testing Practices and the Standards for Educational and Psychological Testing published by the Joint Committee on Testing Practices of the American Educational Research Association.

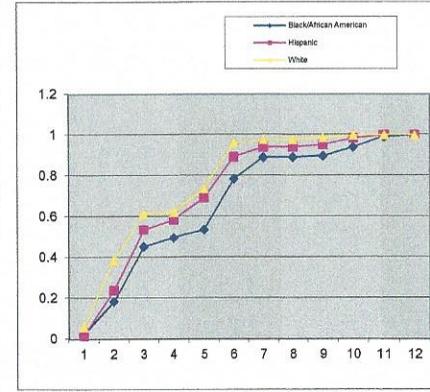
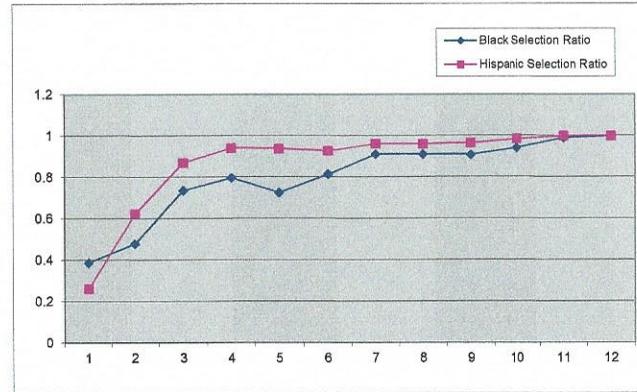
Count of S Race

ScrnBand	Asian	Black/African American	Hispanic	Native American	Other:	White	Grand Total
3 0	1	7	5	0	2	94	108
3 1	2	56	77	1	13	609	768
3 2	3	137	171	2	23	971	1342
3 3	4	150	187	2	24	982	1387
2 1	5	162	221	3	30	1164	1629
2 2	6	237	285	3	40	1519	2151
2 3	7	269	300	3	42	1541	2225
2 4	8	269	300	3	42	1543	2228
1 1	9	271	304	3	42	1557	2248
1 2	10	284	314	3	45	1575	2294
1 3	11	299	319	3	45	1578	2318
1 4	12	302	319	3	45	1578	2322
Grand Total							

	Inclusion	Black/African American	Hispanic	White	Black Selection Ratio	Hispanic Selection Ratio	ScreenScore Indicators
1	4.65%	2.32%	1.57%	5.96%	0.3891	0.2631	3 0
2	33.07%	18.54%	24.14%	38.59%	0.4805	0.6254	3 1
3	57.80%	45.36%	53.61%	61.53%	0.7372	0.8712	3 2
4	59.73%	49.67%	58.62%	62.23%	0.7981	0.9420	3 3
5	70.16%	53.64%	69.28%	73.76%	0.7272	0.9392	2 1
6	92.64%	78.48%	89.34%	96.26%	0.8152	0.9281	2 2
7	95.82%	89.07%	94.04%	97.66%	0.9121	0.9630	2 3
8	95.95%	89.07%	94.04%	97.78%	0.9109	0.9618	2 4
9	96.81%	89.74%	95.30%	98.67%	0.9095	0.9658	1 1
10	98.79%	94.04%	98.43%	99.81%	0.9422	0.9862	1 2
11	99.83%	99.01%	100.00%	100.00%	0.9901	1.0000	1 3
12	100.00%	100.00%	100.00%	100.00%	1.0000	1.0000	1 4

Count of S Race

	Asian	Black/African American	Hispanic	Native American	Other:	White	Grand Total
Total	75	302	319	3	45	1578	2322



Count of S Race

ScrnBand	Asian	Black/African American	Hispanic	Native American	Other:	White	Grand Total	
3 0	1	0.00%	2.32%	1.57%	0.00%	4.44%	5.96%	4.65%
3 1	2	16.00%	16.23%	22.57%	33.33%	24.44%	32.64%	28.42%
3 2	3	34.67%	26.82%	29.47%	33.33%	22.22%	22.94%	24.72%
3 3	4	5.33%	4.30%	5.02%	0.00%	2.22%	0.70%	1.94%
2 1	5	9.33%	3.97%	10.66%	33.33%	13.33%	11.53%	10.42%
2 2	6	24.00%	24.83%	20.06%	0.00%	22.22%	22.50%	22.48%
2 3	7	4.00%	10.60%	4.70%	0.00%	4.44%	1.39%	3.19%
2 4	8	1.33%	0.00%	0.00%	0.00%	0.00%	0.13%	0.13%
1 1	9	0.00%	0.66%	1.25%	0.00%	0.00%	0.89%	0.86%
1 2	10	2.67%	4.30%	3.13%	0.00%	6.67%	1.14%	1.98%
1 3	11	1.33%	4.97%	1.57%	0.00%	0.00%	0.19%	1.03%
1 4	12	1.33%	0.99%	0.00%	0.00%	0.00%	0.00%	0.17%
Grand Total		100.00%	100.00%	100.00%	#####	100.00%	100.00%	100.00%

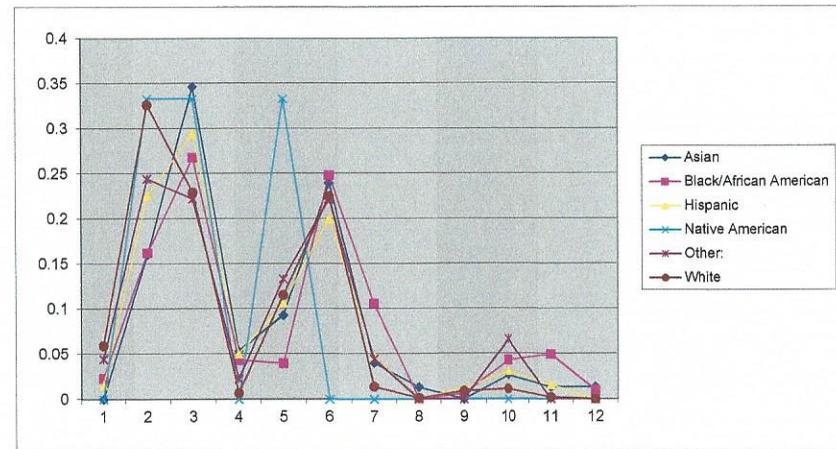


Exhibit 8

These exhibits contain proprietary confidential information which should not be photocopied, distributed, nor included in any public release or for any purpose other than the evaluation of this quote (DPS1600000008).

In this regard, please note that public disclosure of this information would violate the ethical principles and professional conduct guidelines published by the American Psychological Association as well as the Code of Fair Testing Practices and the Standards for Educational and Psychological Testing published by the Joint Committee on Testing Practices of the American Educational Research Association.

CURRICULUM VITAE
MICHAEL J. CUTTLER, Ph.D. ABPP

3409-A West Wendover Avenue
Greensboro, North Carolina 27407 (office)
336-852-6902 –office
336-339-0785 – mobile
mcuttler@lesi.com

Michael J. Cuttler, Ph.D., ABPP is a full time employee of Law Enforcement Services, Inc.

EDUCATION:

- 1972 Ph.D. Kent State University
Kent, Ohio
Major Area: Clinical Psychology (APA Approved)
Specialty Area: Psychopathology, Minor Area: Cognition and Perception
- 1969 MA New School for Social Research
New York, New York
Major Area: Psychology (general, experimental); Minor Area: Sociology
- 1967 BA New York University (University Heights)
Bronx, New York
Major Area: Psychology; Minor Area: English

ACADEMIC APPOINTMENTS:

- 1994 To Present Adjunct Professor, Graduate Faculty
Department of Psychology
University of North Carolina,
Greensboro, North Carolina

EMPLOYMENT HISTORY:

- 1979 To Present Law Enforcement Services, Inc.
Director, Personnel Research and Psychological Services
Greensboro, North Carolina
- Greensboro Psychological Associates, P.A.
Greensboro, North Carolina
- 1976 To 1979 James N. Farr Associates
Vice President/Consulting Psychologist
Greensboro, North Carolina
- 1973 To 1976 Valley Psychiatric Hospital Corporation
Director of Psychological Services
Chattanooga, Tennessee
- 1972 To 1973 Chattanooga Psychiatric Clinic
Clinical Psychologist, Adult Division
Chattanooga, Tennessee

CURRICULUM VITAE
MICHAEL J. CUTTLER, Ph.D. ABPP

LICENSURE AND CERTIFICATION:

Board Certified in Police and Public Safety Psychology, American Board of Professional Psychology (ABPP) [REDACTED]

Board Certified in Clinical Psychology, American Board of Professional Psychology (ABPP) [REDACTED]

Certified, National Register of Health Care Providers in Psychology [REDACTED]

Certificate of Professional Qualification - ASPPB [REDACTED]

State of North Carolina

License [REDACTED]

State of New Jersey

License # [REDACTED]

State of Tennessee

License [REDACTED]

Commonwealth of Virginia

License # [REDACTED]

State of Florida

License # [REDACTED]

State of Illinois

License # [REDACTED]

PROFESSIONAL ORGANIZATIONS:

American Board of Professional Psychology (ABPP)

Board of Trustees – 2011- 2014

Chairperson, Education and Training Committee

Member, Finance Committee

Associate Editor; “The Specialist”

American Board of Police and Public Safety Psychology (ABPPSP)

Immediate Past President (2015 – present)

President – 2012 - 2015

President – elect (2011)

Representative to ABPP Board of Trustees

Council of Organizations in Police Psychology

Board of Delegates 2009-present

Fellow, American Academy of Clinical Psychology (AACP)

Fellow, American Psychological Association

APA Committee on Professional Practices and Standards (COPPS)

Division 18 (Psychologists in Public Service, Police Psychology Section).

Division 42 (Psychologists in Independent Practice)

Finance Committee 2008

Delegate to APA Presidential Summit on Future of Psychology Practice

Society of Industrial and Organizational Psychology (APA Division 14)

International Association of Chiefs of Police - Psychological Services Section

Chair, website and publications oversight committee 2007- present

Joint Committee on Police Psychology Competencies 2007-present

Pre-employment Psychological Assessment Guideline Committee 1998-present

Delegate to Council of Organizations in Police Psychology 2009- present

Society for Police and Criminal Psychology

North Carolina Psychological Association

CURRICULUM VITAE
MICHAEL J. CUTTLER, Ph.D. ABPP

PATENTS:

Cuttler, Michael; Cuttler, Ellen; Seddon Thomas; **System, Method and Computer Readable Medium for Acquiring and Analyzing Personal History Information.** (US 7,346,541; 3/18/2008)

PUBLICATIONS (academic/peer reviewed):

The Prediction of Dysfunctional Job Behaviors Among Law Enforcement Officers; Sarchione, Charles D.; Cuttler, Michael J.; Muchinsky, Paul M.; Nelson-Gray, Rosemary; **Journal of Applied Psychology, 1998, Vol. 83, No. 6, 904-912**

Prediction of Law Enforcement Training Performance and Dysfunctional Job Performance with General Mental Ability, Personality, and Life History Variables; Cuttler, Michael J.; Muchinsky, Paul M.; **Criminal Justice and Behavior, Vol. 33 No. 1, February 2006 3-25**

Defining the Field of Police Psychology: Core Domains & Proficiencies; Aumiller, Gary; Corey, David; Brewster, JoAnne; Cuttler, Michael; Gupton, Herbert; Allen, Scott; Honig, Audrey; **Journal of Police and Criminal Psychology (2008) 23:48**

Pre-employment Screening of Police Officers; Integrating Actuarial Prediction Models with Practice; Cuttler, Michael J. in **Handbook of Police Psychology**, Jack Kitaeff, Ph.D., J.D., Editor. **Routledge Psychology Press (2011).**

Ad hoc reviewer

Assessment (Sage Publications), Professional Psychology (APA)

AWARDS:

American Psychological Association

Fellow of the Association (October 2007)

Presidential Citation for Innovative Practice (May, 2009)

American Psychological Association, Division 18 (Public Service)

Award for Distinguished Contribution to Police and Public Safety Psychology, 2011

Spotlight Award for Special Achievement (Outstanding Presentation) 2011

Fellow of the Division 2010

American Psychological Association, Division 42 (Independent Practice)

Best of the Bulletin Award (August 2001, Continuing Education Best Article)

Award in Recognition of his many outstanding contributions to Division 42" (August 2005)

Fellow of the Division 2007

CURRICULUM VITAE
MICHAEL J. CUTTLER, Ph.D. ABPP

International Association of Chiefs of Police, Psychological Services Section.

Outstanding Practice Award in Police Psychology 2012

Certificate of Appreciation for “your contribution in attaining recognition of Police Psychology as proficiency by Commission on Recognition of Specialties and Proficiencies in Professional Psychology of APA.” 2008

Certificate of Appreciation for “commitment of time, resources, and creativity to the development of a professional Police Psychological Services Section website” 2008

REFERENCES:

Upon request

PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

Exhibit 9

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PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

Illinois, Kentucky, Nebraska, North Carolina, Ohio, Oregon, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia

ILLINOIS

Northwestern Univ. Police Department
Evanston, IL

University of Chicago Public Safety
Chicago, IL

KENTUCKY

Kentucky Law Enforcement Council *
Richmond, KY
*(532 municipal/county agencies)

Kentucky State Police
Frankfort, KY

NEBRASKA

Nebraska LE Training Center
Grand Island, NE

Nebraska State Patrol
Lincoln, NE

NORTH CAROLINA

Alamance County Sheriff's Office
Graham, NC

Appalachian State University
Boone, NC

Archdale Police Department
Archdale, NC

Boone Police Department
Boone, NC

PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

NC ASSESSMENT CLIENTS (cont'd)

Cabarrus County Sheriff's Department
Concord, NC

Town of Cleveland Police Department
Cleveland, NC

City of Concord
Concord, NC

Concord Police Department
Concord, NC

Crabtree Valley Mall Police Department
Raleigh, NC

Duke University Police Department
Durham, NC

Forsyth County Human Resources
Winston Salem, NC

Guilford County EMS
Greensboro, NC

Guilford County Juvenile Detention Center
Greensboro, NC

GTCC Campus Police
Jamestown, NC

Guilford Metro 911
Greensboro, NC

City of High Point
High Point, NC

High Point Police Department
High Point, NC

Huntersville Police Department
Huntersville, NC

PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

NC ASSESSMENT CLIENTS (cont'd)

Kernersville Police Department
Kernersville, NC

Lankford Protective Services
Greensboro, NC

NC Central Univ. Police & Public Safety
Durham, NC

Piedmont Triad Airport Authority
Greensboro, NC

Rose Hill Police Department
Rose Hill, NC

Shelby Police Department
Shelby, NC

Stanly County Personnel
Albemarle, NC

UNC Hospitals Police Department
Chapel Hill, NC

Winston Salem Police Department
Winston Salem, NC

Winston Salem State University Police
Winston Salem, NC

OHIO

Dublin Police Department
Dublin, OH

Mercy Hospital Police,
Toledo, OH

Sylvania Police Department
Sylvania, OH

PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

OREGON

Hubbard Police Department
Hubbard, OR

Newberg Dundee Police Department
Newberg, OR

Newport Police Department
Newport, OR

St. Helens Police Department
St. Helens, OR

Stayton Police Department
Stayton, OR

Troutdale Police Department
Troutdale, OR

SOUTH CAROLINA

Sumter County Sheriff's Office
Sumter, SC

TENNESSEE

Alcoa Police Department
Alcoa, TN

Blount County Sheriff's Office
Maryville, TN

TEXAS

Glenn Heights Police Department
Glenn Heights, TX

University of Texas at Arlington
Arlington, TX

PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

TX ASSESSMENT CLIENTS (cont'd)

University of Texas at Austin
Austin, TX

University of Texas Southwestern Medical
Dallas, TX

UTAH

City of Cottonwood Heights Police Dept
Cottonwood Heights, UT

Clearfield City Police Department
Clearfield City, UT

Farmington Police Department
Farmington, UT

Layton Police Department
Layton, UT

Salt Lake County Sheriff's Office
Salt Lake City, UT

South Salt Lake City Police Department
South Salt Lake, UT

Springville Police Department
Springville, UT

Tooele Police Department
Tooele, UT

Unified Police Department
Salt Lake City, UT

University of Utah Police Department
Salt Lake City, UT

Utah Department of Corrections
Draper, UT

PARTIAL LIST OF PRE-EMPLOYMENT ASSESSMENT CLIENTS

UT ASSESSMENT CLIENTS (cont'd)

Utah Department of Insurance Fraud
Salt Lake City, UT

Utah State University Police
Logan, UT

VIRGINIA

Chesapeake City Sheriff's Office
Chesapeake, VA

Chesapeake Police Department
Chesapeake, VA

James City County Police Department
Williamsburg, VA

South Boston Police Department
South Boston, VA

VA Alcohol Beverage Commission
Richmond, VA

Virginia Capitol Police
Richmond, VA

Virginia State Police
Richmond, VA

WEST VIRGINIA

West Virginia Public Service Commission
South Charleston, WV

West Virginia State Police
South Charleston, WV



Make The Right Choice
www.lesi.com

Specific Contacts and References:

As requested, the following is a list of specific contacts and references for the LESI® onlinePHQ® and Multi-domain Screening process. The agencies listed below are similar to the West Virginia State Police in terms of size, scope, and job performance requirements:

Kentucky State Police

Sergeant Brad Arterburn
Recruitment
919 Versailles Road
Frankfort, KY 40601
502-695-6300

West Virginia Public Service Commission

Director David Kovarik
P.O. Box 812
Charleston, WV
304-340-0485

Nebraska State Patrol

Ms. Jerry Lee Jensen
Personnel Administrator
P.O. Box 94907
Lincoln, NE 68509
402-471-4931

Virginia Alcohol Beverage Commission

Deputy Director Shawn Walker
Recruitment
P.O. Box 27491
Richmond, VA 27491
804-213-4569

Virginia State Police

Captain Jeffrey Baker
Director of Personnel
P.O. Box 27472
Richmond, VA 23261
804-674-2000

Virginia Capitol Police

Colonel Steve Pike
P.O. Box 1138
Richmond, VA 23218
804-786-5035

LESI®
Law Enforcement Services, Inc.
3409 West Wendover Avenue Suite A
Greensboro, North Carolina 27407
336.852.6902
www.lesi.com

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Law Enforcement Services, Inc.

Authorized Signature: [Signature] Date: 6-9-16

State of NORTH CAROLINA

County of CHATHAM, to-wit:

Taken, subscribed, and sworn to before me this 9 day of JUNE, 2016

My Commission expires 01/22, 2017

AFFIX SEAL HERE

LANA M BRADLEY
Notary Public
Chatham Co., North Carolina
My Commission Expires Jan. 22, 2017

NOTARY PUBLIC

[Signature]
Purchasing Affidavit (Revised 08/01/2015)