

Forensic psychology: fitness for duty evaluation assignment

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The nature of fitness-for-duty evaluations is different from other psychological services in that they involve a mandatory referral to the psychologist and fitness information is communicated to the department. Thus, specific issues of psychologist training and knowledge are crucial. Fitness for duty evaluation Police Psychologists play substantial roles in the employment and maintenance of law enforcement. A main role the psychologist plays is in the area of psychological assessment.

The Fitness for duty evaluation (FED) assesses and evaluates a police officer's personality, psychology, intelligence, and overall fit for the line of work. This type of assessment is also frequently conducted through pre-employment psychological screenings. This paper briefly addresses the pre-employment psychological screening. However, the primary focus is on the forensic psychologist's role as it applies to the FED. Pre-employment psychological screenings are designed to identify unsuitable police candidates.

Testing has become more complex over the years in order to detect issues not easily identified in earlier standard testing. (Derrick & Chaplain, 2006). Several tests, such as the Minnesota Multiphase Personality Inventory (IMP) and the Inland Personality Inventory (PUPIL) have become more utilized for this purpose over the years. Research has established that these tests, particularly the PIP, tend to be successful in predicting negative indicators for aspects such as officer performance after training (Singing, Schumacher, Gardner, & Chaplin, 1995).

It has also been found that The PI and IMP have also proven effective in detecting dishonest test answers. Importantly, it has been suggested the test detects is best at identifying unsophisticated deceivers while superior ones are more successful in cheating the tests (Forum & stock, Tests such as the NEO Personality Inventory-Revised (NEO PI-R) is 993). Frequently used as a predict recruits that will perform well once on the job (Derrick & Callahan, 2006). Other research (Derrick & Callahan, 2006) suggests that the NEO PI-R is able to foresee which recruits will perform well as officers.

Some experts also believe that the NEO PI-R may be utilized in recognizing weaknesses in evaluations (Feds) are often in response to an officer's display of some form of questionable behavior. These behaviors may include aspects such as stress, excessive force, substance abuse, psychological disorders, depression, or family robbers. The evaluation is conducted in order to determine several key factors. These include the decision as to if the officer should continue at present duty level, if treatment or intervention is needed, or if job task modifications are necessary. The assessment typically comprises a review of the officer's records.

Aspects of the record such as awards, commendations, and reprimands are measured. Additionally, individual sessions with the officer are often conducted. Interviews with family are often conducted as well. Lastly, a medical examination is frequently recommended to establish or rule out other issues affecting the officer (Bartok & Bartok, 2008) In addition to use for recruitment, Psychological tests such as The Operational Police Stress Questionnaire (Shop) and the Organizational Police Stress Questionnaire (SQ-

Org) are frequently utilized to in both recruitment and to measure stress levels in active duty officers. Macrame & Thompson, 2006). Duty-related stress is measured by the SQ-Pop and the SQ. Org measures stress that is caused from the actual law enforcement organization. The tests were designed in this way due to data hat has established that these two groups are the main stress generating areas for officers. The role of the forensic psychologist as it pertains to FED is of interest to this student for several reasons. First of all, research has established that psychological services play a vital role throughout law enforcement agencies.

Law enforcement officials have begun to recognize and acknowledge the need for psychological services designed to deal with the unique culture among police officers. Another reason of interest is the value in psychological testing. Psychological sets can be used to assist in recruit selection as well as stress testing for current officers. Furthermore, the creation of additional and improved tools as a result of developing research and development for the purpose of improving law enforcement organizations is exciting. Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience” (PAP, 2002, p. 1063; Standard 2. AAA Boundaries of Competence). Psychologists who conduct pre-employment or Feds should have thorough training in the assessment area. In order to provide effective police psychological services, Bennett et al (2006, p. 51) states that “ psychologists should have, at a minimum, knowledge of several issues including: the police role, essential police

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functions, unique police work conditions, police occupational stress, and unique aspects of confidentiality and testimonial privilege". It is also recommended that individuals wishing to become police psychologists enroll in courses during undergraduate or graduate school in order to best prepare. (PAP, 2010) In 2008 the PAP Council of Representatives approved police psychology as an expertise in professional psychology.

Since then, many organizations have developed graduate, postdoctoral, and continuing education standards and opportunities. These include the Police and Public Safety Section of PAP Division 18 (Psychologists in Public Service), the Society of Police and Criminal Psychology (SPEC), the Psychological Division 41 (American Psychology-Law Society). Lastly, some clinical and nonsensical graduate training programs have come into existence that offer concentrations in forensics or in psychology and law that provide training in the delivery of psychological services to the police.

Most law enforcement agencies require that the evaluator is a licensed psychologist. This includes the specification that the psychologist has at least five years of postgraduate experience in the diagnosis and treatment of mental disorders as well. Lastly, many agencies require that the applicant has also completed an accredited postgraduate residency education program in psychiatry. (Hobblers, 2010) Typically, a forensic psychologist works for a law enforcement agency in one of two ways.

They provide services, consultation and training as an "in-house" service (i.e., as an actual department staff member) or they serve as an outside consultant who provides services under contract department wide. There are

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both advantages and limitations to both. However, regardless of the capacity, it is usually customary for the police psychologist to be linked with the agency's highest level of administrative structure in order to achieve the most effective "direct line" consultation and communication (Leftwing, 1977).

Although psychologists have been involved in conducting assessments for applicants and officers for many years, it has been only recently that "professional practice guidelines that provide accountability and consistency to the evaluation process based on professional consensus about best practices" have been instigated (Goldstein ; Whiner, 2003, p. 144-145). In order for a psychologist to effectively conduct pre-employment screenings or Fed's he must consider if he has the "necessary base of specialized knowledge and skill to be competent to conduct such an assessment" (Goldstein ; Whiner, 2003, p. 4-145). Additionally, the psychologist must be prepared to successfully deal with the challenges of defining roles and clarifying limits to applicants, officers, and administration. Additionally, evaluations must be conducted in accordance with existing guidelines and reported clearly to the intended audience (ICP, 1998). Police psychologists provide a valuable service to law enforcement. However, the psychologist must be constantly aware of ethical principles so as not to diminish from the services they provide.

Although this is vital for any psychologist, the police psychologist faces issues associated with a non-health-related environment. Law enforcement agencies are not accustomed with the same professional concerns as the

psychologist. Therefore the psychologist must be both ready and prepared to confront and resolve a number of issues that will arise. (Archibald, 1995, p. 45) The first duty of a police psychologist is to define the client. Conflict of interest is always a major concern.

The psychologist may face numerous situations in which it is vital to establish if he is working for an individual officer or the law enforcement agency as a whole. Working for both or vying the impression that he is working for both could lead to a disastrous conflict of interest, especially in matters of confidentiality (Archibald, 1995). Specific precautions must be taken to ensure that problems are avoided as much as possible. First of all the psychologist must discuss the nature of the assignment with the department prior to accepting any assignment.

Again, confidentiality is of utmost importance. For example, law enforcement may not consider or fully understand records. If it has been previously established that the psychologist's assignment was to serve the organization in areas such as fitness for duty evaluations or entry-level testing then it is appropriate to provide administration with records. However, only the data pertinent to the problem should be included in the reports (Archibald, 1995). When the psychologist is assigned in a treatment capacity then all records are unquestionably confidential (Archibald, 1995).

In short, the psychologist must inform the law enforcement agency officials and make policies clear from the beginning. Officials must comprehend that the psychologist is the knowledgeable mental health expert and that there are specific ethical rules guiding all actions and decisions made. Guidelines

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and their consequences, especially gray areas absolutely should be discussed. As noted earlier, the police psychologist should be attentive to current relevant law and how it is applied in the Jurisdiction in which he practices.

However, it is also important to consider fundamental legal issues such as disputes regarding Feds. A main legal issue in Feds is whether the agency has a right to require an employee to submit to a psychological evaluation to assess psychological audibility or fitness for employment. *Content v. Harsher* (1977), is a landmark case in which a police lieutenant brought suit against the chief of police for ordering him to undergo a psychiatric evaluation, claiming that the mandate was inappropriate and unlawful.

The ruling of the court was that the police chief had both the authority to order the evaluation as well also a responsibility to do so in response to concern about the officer's psychological suitability: " It is the duty of the police chief to maintain a capable and efficient force. An examination, either physical or mental, enables the chief to ascertain the qualifications of a person to perform particular duties or to fill a particular position. (p. 69) This decision was supportive of previous court rulings that " agencies employing high-risk personnel, particularly law enforcement officers, should have official policies and procedures in place for monitoring the psychological fitness of employees, including mandated assessment referrals where appropriate" (*Pensioner v. City of New York*, 1982). Another main legal issue concerns who is permitted to attend the evaluation itself. In *Vinson v. The*

Superior Court of Alameda County (1987), an employee claimed that mandating a psychiatric evaluation violated her right to privacy.

However, she stated that if was forced to be evaluated that she wanted her attorney present during the examination. The court denied this request stating “ We were skeptical that a lawyer, unschooled in the ways of the mental health profession, would be able to discern the psychiatric relevance of the questions. And the examiner should have the freedom to probe deeply into the plaintiffs psyche without interference by a third party (p. 412)”

Whether or not an employee has a reasonable expectation of confidentiality when required to undergo a psychological FED is yet another issue. In David v.

Christian (1987), the question of who held the privilege of confidentiality was debated. In the case, an officer was fired after he was mandated to receive psychiatric evaluation. The officer stated that it was a violation of his confidentiality to release his evaluation to his superiors which resulted in his dismissal. The court ruled: “ The employee counseling unit’s confidentiality requirement only attached where counseling was for port was sought exclusively by the petitioner’s superiors in order to determine whether the petitioner’s condition warranted his termination” (p. 826).

It is the psychologist’s obligation to avoid iatrogenic harm. According to Edgerton and Campbell (1994, p, 103) iatrogenic harm is “ that which is inadvertently precipitated, aggravated, or induced by the physician’s attitude, examination, comments or treatment. ” Forensic psychologists are required to “ ensure that their services and the products of their services are

used in a forthright and responsible manner” (Stone amp; Shear, 1988, p. 54) The psychologist’s role in the pre-employment and fitness for duty evaluations are only as good as the psychologist’s training, skills, and knowledge.

Furthermore, many ethical and legal aspects are involved in the police psychologist’s competence. Lastly, the psychologist must obtain a comprehensive education, receive appropriate training, and adhere to specific standards. The police psychologist must be prepared for the challenges of dealing with numerous issues that will arise in dealing with an agency that is not sensitive to the repossession concerns of a psychologist such as confidentiality. The psychologist must learn to form a professional identity in this trying environment as well as abide by to standards of conduct in spite of pressures.