

POLICE CONSORTIUM TEST VALIDATION STUDY
(City of Newark)

A Program Evaluation
Submitted to the
Enforcement Committee
of the
Governor's Commission on Criminal Justice

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58576

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ACQUISITIONS

PROJECT INFORMATION

General:

Grant Number: 76-041
Grant Title: Police Consortium Test Validation Study
Implementing Agency: City of Newark
Project Director: J. Patrick MacQueen
Grant Period: February 1, 1976 through April 30, 1977

Budget:

	<u>Federal</u>	<u>Match</u>	<u>Total</u>
Professional Services	\$12,100	\$2,375	\$14,475

I. Introduction

Title VII of the Civil Rights Act of 1964 Section 703(h) expressly recognized testing as a permissible prerequisite to employment where it was stated that:¹

Nor shall it be an unlawful employment practice for an employer to give and act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended or used to discriminate because of race, color, religion, sex or national origin.

The Act also states that any employment practice which on the surface appears neutral but has been shown to be discriminatory in operation is prohibited unless the employer can prove that its testing requirements have a manifest relationship to job performance.²

In *Griggs v. Duke Power Company* (1971)³, the Supreme Court further defined non-discriminatory testing when it ruled that a test used for hiring or promotion is not valid if it "operated to exclude negroes [and] cannot be shown to be related to job performance."⁴ In this case, the court also ruled that a test which serves to exclude proportionately more blacks than whites, "...despite a lack of any discriminatory intent on the part of those developing and using the tests..."⁵ is prohibited.

¹42 U.S.C.A. § 2000E-2(h).

²Civil Rights Act of 1964, § 703(a)(2), (h), 42 U.S.C.A. § 2000E-2(a)(2), (h).

³401 U.S. at 431, 91 S. Ct. at 849, 28 L. Ed 2d: 158 (1971)

⁴Ibid

⁵474 F. 2d 906 (1973), pg. 911.

Citing the Civil Rights Act of 1964 in the U.S. v. Georgia Power Company, the court stated that where a series of tests excludes more blacks than whites from employment, the burden is placed upon the employer to prove the necessity of the tests.⁶ It is pertinent to note that in the same ruling the court stated that an employment test is not valid unless it is evaluated in the same setting in which it is used.⁷ Finally, in Moody vs. Albemarle Paper Company, the court stated, that it is the responsibility of the employer to demonstrate that a test is job-related, has a manifest relationship to job performance and has been validated in accordance with required guidelines.⁸ Thus, not only must a test be shown to be job-related, but it must also be validated in the locale in which it will be administered and the burden of proving the test is valid is placed upon those administering the test.

In late 1974, the subject of selection procedures became an increasing source or concern to law enforcement agencies in Delaware. In early 1975, the Delaware Public Administration Institute, financed in part by the U.S. Federal Civil Service Commission and affiliated with the University of Delaware's Division of Urban Affairs and Public Policy, administered a questionnaire to public employers. The results of the questionnaire identified police agencies as those most in need of test validation research. In March of that year, a police consortium was formed

⁶Ibid. p. 907.

⁷Ibid. p. 907.

⁸474 F2d 134 (1973), pg. 135)

for the purpose of pursuing a cooperative effort in selection validation.

In response to the consortium's wishes, the Governor's Commission on Criminal Justice allocated \$12,100 to program area E-10 in the 1976 Comprehensive Plan. This program area addressed the need ... "to establish minimum standards for selection/ recruitment and promotion within police departments... [by] participation in national test validation projects."⁹

In January, 1976, the GCOJ awarded the total \$12,100 to the City of Newark, which acted as the administrative sponsor for the Police Consortium Test Validation Study project. The consortium consisted of the following six jurisdictions: Newark, New Castle County, Wilmington, Milford, Dover and the University of Delaware Security Force. Each agency contributed a portion of funds based upon the number employed per agency, for the required cash match. A total of \$2375 was collected. Thus, the total amount of funds provided to the project was \$14,475.

The consortium contracted the Delaware Public Administration (DPA) Institute to perform a job analysis and validation study of entry level police officer written tests and to make recommendations concerning the oral interview as utilized in police selection. Project start-up was delayed until May, 1976, when the LEAA regional office agreed that the Institute was the sole source of these services and that the contracting did not require that bids be obtained from other consultants.

⁹ Governor's Commission on Criminal Justice, 1976 Comprehensive Plan, prepared for the Law Enforcement Assistance Administration, Wilmington, Delaware, June 1975, p. 473.

The project was completed in April 1977. Three reports were presented to the Delaware Police Consortium (DPC agencies). One report made recommendations for the oral interview utilized in police selection.¹⁰ In conjunction with this report, a manual of interview guidelines was developed.¹¹ Finally, the report on the validation study itself was prepared.¹² This report described the approach taken during validation procedures, results of the validation study and recommendations for the DPC agencies.

This was a "one shot" project. Once a test was validated, it was assumed that there would not be a need for any on-going effort in analysis, therefore, continuation funds were not provided in either the 1977 or 1978 Comprehensive Plan. To date, only one agency has utilized the test that was validated by the DPA Institute.¹³

II. Project Expenditures

All funds allocated to the City of Newark were placed in the "consultant services" budget category. The following describes

¹⁰"Delaware Cooperative Police Selection Study, Recommendations for the Oral Interview in Police Selection", Linda Hsu and Barry R. Morstain, College of Urban Affairs and Public Policy, University of Delaware, Newark, Delaware, April 1977.

¹¹"Delaware Cooperative Police Selection Study, Manual of Interview Guidelines", Linda Hsu and Barry R. Morstain, College of Urban Affairs and Public Policy, University of Delaware, Newark, Delaware, April 1977.

¹²"Delaware Cooperative Police Selection Study, Test Validation Study: Technical Report", Barry R. Morstain and Linda Hsu, College of Urban Affairs and Public Policy, University of Delaware, Newark, Delaware, April 1977.

¹³In May 1978, the test was administered by the City of Newark, the Wilmington Bureau of Police and the Delaware State Police. Since the latter jurisdiction was not a part of the DPC analysis, it should be noted that the validity of the MPOE for this agency has not been established.

the manner in which those funds were expended by the contractee:

Personnel	\$9,715
Travel	728
Supplies	488
Operating Expenses	3,474
Other	70
	<u>\$14,475</u>

Personnel expenditures paid for the services of four employees. Two professional researchers were paid for one-third of their time over the entire project period. Two other employees, a computer programmer and a secretary, were paid for 20 days of services. Travel costs were incurred as a result 1) of a training session attended by one of the project's staff members, 2) for conferences between project researchers and developers of the test that was validated, and 3) for miscellaneous in-state travel. Funds expended in the supplies category were utilized to pay for the test and research materials. Expenditures in the operating expenses category paid for data processing time, meeting rooms, report reproduction and a 20 percent overhead rate. The \$70 expended in the "Other" category was charged as a technical fee paid to personnel specialists to review work products.

III. Project Coordinator's/Committee Responsibilities

In May 1976, following LEAA's approval of the contract, DPC project coordinators and two advisory committees were appointed. The project coordinators were responsible for the administrative implementation of the project within their respective law enforcement agencies. Their duties included administering tests, job questionnaires, selecting a validation sample and acting as liaisons between the individual agency and the project. A list of project coordinators is contained in Appendix A (pages 23-24).

The Police Advisory Committee consisted of eight members; one from each of the four smaller departments (Newark, Dover, Milford and the University of Delaware) and two from each of the larger jurisdictions (Wilmington and New Castle County). The Police Advisory Committee was charged with the responsibility of reviewing each phase of the project as it progressed. Accordingly, the committee met on several occasions. A complete list of the Police Advisory Committee members is contained in Appendix B (pages 25-26).

The Technical Advisory Committee was composed of persons knowledgeable of job analysis and validation procedures. This committee reviewed and commented on the project's methods, procedures and final work products from a technical perspective. A list of persons appointed to this committee is contained in Appendix C (pages 27-28).

IV. The Validation Study

A. Procedures

The approach taken by the DPA Institute was first to survey other research efforts in the area of police selection. According to Institute personnel, the most notable research in this area to date was conducted by the International Association of Chiefs of Police (IACP), the International Personnel Management Association (IPMA) and the Educational Testing Service (ETS). From this study, hereafter referred to as the ETS study, a multi-jurisdictional police officer examination (MPOE) was developed. The MPOE was the test chosen by the project to be validated.

The first phase of the validation study was to conduct a job analysis of the entry-level police officer position in each DPC agency. The Delaware Public Administration Institute administered a job analysis questionnaire which listed job dimensions that were believed to be of importance to the patrol officer position. These job dimensions included handling routine calls for service, search and seizure procedures, community relations, facilitating traffic flow, court testimony, gathering information and reporting, arrest procedures and judgement and vigilance in patrol activities.

A rating form was developed through which the importance of each of the job dimensions to patrol officers could be measured. The rating form was administered to 341 officers (223 patrol officers and 118 supervisors) assigned to the six DPC agencies. Each officer was requested to place a numerical value on each job dimension based upon the relative importance each gave to that particular function. The ratings were given on a scale of zero (not applicable) to four (of greatest importance). The results of this exercise is contained in Exhibit A.

The job dimension receiving the lowest mean rating (2.59) by patrol officers was that pertaining to "responding to calls for police assistance". This same group found that the job dimension pertaining to "dangerous emergencies" was very important, thus a mean score rating of 3.65 was given to it. The scores obtained for each job dimension revealed that none of the job dimensions was rated to be of little or no importance. It was also

interesting to note that supervisors consistently gave higher mean ratings for each of the job dimensions.

EXHIBIT A

Job Analysis of Entry Level Police
Officer Positions in DPC Agencies

<u>Job Dimension</u>	Mean rating*	
	<u>Patrol Officers (223)</u>	<u>Supervisors (118)</u>
Responding to Calls for Police Assistance	2.59	2.74
Search and Seizure Procedures	3.27	3.41
Vigilance and Judgement in Patrol Activities	2.88	2.97
Booking of Prisoners	2.38	2.55
Facilitating Traffic Flow	2.63	2.75
Making Routine Checks	2.90	2.92
Community Relations	2.80	2.83
Crowd Control	3.24	3.31
Dangerous Emergencies	3.65	3.69
Court Testimony	3.20	3.41
Gathering Information and Reporting	2.86	3.10
Arrest Procedures	2.96	3.05
Arrest Reports	3.17	3.22
Work Preparation	2.76	2.79

* Average importance scores are determined by the scale 0 -- not applicable; 1 -- little or no importance; 2 -- moderately important; 3 -- very important; 4 -- of greatest importance.

The MPOE, developed in the ETS Study, was based upon identification and assessment of job dimensions important to entry-level police officer positions. To determine whether the content of the MPOE was job related to entry level officers in the DPC agencies, the DPA Institute had to demonstrate that the perceptions of local Delaware police personnel were similar to the perceptions documented in the national ETS study. Based upon their analysis, the DPA Institute concluded that:

the job analysis findings at the local DPC level...
and comparison to the national data... indicate
that the MPOE is content relevant and job related...¹⁴

Once job relatedness had been established, the consultants began the second phase of the project - the administration of the MPOE. The test was administered to 162 of the 223 patrol officers. Sixty-one (61) officers were excluded from the test administration phase of the project for various reasons including the fact that some were performing functions differing significantly from those involved with patrol or that some had significantly longer experience on the force.

At the same time, a performance evaluation instrument was developed with an instruction manual for supervisors to use in evaluating the patrol officers. Each of the 162 officers who took the MPOE was rated by their immediate supervisor according to the manner in which they were believed to perform various tasks. A seven point rating scale was utilized. A score of one indicated the officer needed improvement, a rating of four indicated acceptable performance and a seven denoted that the officer was highly

¹⁴ Delaware Cooperative Police Selection Study, Test Validation Study: A Technical Report op.cit p. 7.

competent in performing the specific task being rated.

Supervisory personnel evaluation ratings were correlated with the test results of the MPOE. If a relationship between the two measures could be found; that is, if evidence could be produced to show that performance on the test was predictive of performance on the job, criterion-related validity would be substantiated.

Test score distribution was categorized into five score ranges and compared with the mean job performance evaluation ratings for individuals. (Because the mean job performance evaluation rating was 4.8, this figure was utilized to determine successful job performance. Hence, those receiving a score of 4.8 or greater were designated as successful officers, those receiving 4.7 or less were unsuccessful in their jobs.) The result of this analysis is presented in Exhibit B.¹⁵

EXHIBIT B

Comparative Analysis of Test Score Ranges and Overall Job Performance Evaluation Ratings

Test Score Range	Number of Officers Receiving Score	Mean Job Performance Evaluation Rating	Number of officers receiving successful job performance evaluation ratings in score range category (4.8 or greater)
137 - Above	39	5.1	25
130 - 136	31	5.0	20
126 - 129	30	4.8	16
120 - 125	34	4.8	17
119 - below	28	4.2	8

¹⁵ Ibid. page 29.

Review of the Exhibit revealed that those individuals receiving a score of 130 or greater were most likely to be successful police officers. Of the 70 officers in the two highest test score ranges, 64 percent (45) were designated as successful in their jobs in that they received job performance evaluation ratings of 4.8 or greater. Of the officers receiving test scores in the third and fourth ranges (126-129 and 120-125), approximately one-half or 52 percent (33) were performing successfully in their jobs. Of those receiving scores of 119 or below, only 29 percent (8) received successful job performance ratings.

B. Test Validation Study Conclusions and Recommendations

The Test Validation Study Technical Report presented a number of conclusions and recommendations which are summarized below:¹⁶

1. Job Analysis data obtained from the Delaware Police consortium agencies indicated a high degree of agreement with the findings nationally obtained in the ETS study. Therefore, the content validity of the test appeared supportable in the local context and built upon the research conducted by the IACP, IPMA and ETS on the national level.

2. The study recommended a cutoff score of 120 on the MPOE because preliminary observations indicated that a cutoff score in excess of 120 would have an adverse impact upon minority applicants. It was interesting to note that in the comparison of test scores and job performance evaluation ratings, a little over one-half (58 percent) of the officers receiving scores of 120 or more were successful in their jobs. Thus, the ability to predict

¹⁶Ibid. pages 33-39

successful job performance based upon test scores of 120 or greater was poor.

3. The study recommended that the DPC agencies consider "cooperative arrangements" for the written and physical agility tests.

4. The written test should be viewed as just one component of the total selection process. Other selection devices should include physical agility tests, oral interviews and background investigations.

C. Test Validity

Interviews were conducted with DPA Institute personnel, the staff in the Philadelphia regional office of the U.S. Civil Service Commission and personnel administrators in certain police agencies to determine whether the MPOE was valid for use in the Delaware Police Consortium agencies since its predictive qualities appeared questionable. These interviews revealed that the study followed the written guidelines for test validation adopted by the Federal Executive Agency (FEA) on December 31, 1977.

Insofar as the validation study followed necessary guidelines, those interviewed believed the MPOE was shown to be a valid test for DPC agencies. Each emphasized, however, that whether test validity would be sustained in a court of law was unpredictable and could depend upon the particular charge levied, the circumstances surrounding the case or the presiding judge.

V. Oral Interview Reports

Delaware Police Consortium agencies also requested the DPA Institute to investigate the oral interview component of the selection process and to make recommendations for its improvement. Two reports were completed as a result of this request. Each will be discussed separately.

A. Recommendations for the Oral Interview¹⁷

This report made specific recommendations, based upon research conducted by the consultants, concerning the administration of the oral interview. Generally, the consultants stated that the oral interview has low validity and is not a very reliable indicator of successful job performance. However, it is not likely that the popularity of the oral interview will diminish. The DPA Institute made the following major recommendations for its usage:

1. Delaware Police Consortium agencies should utilize a semi-structured interview format. A semi-structured interview is one in which:

All applicants are asked some questions in common, the phrasing and sequence of which are standardized and predetermined; the interviewer is allowed to ask follow-up questions [and] time allowances for applicants can vary.¹⁸

¹⁷ "Delaware Cooperative Police Selection Study, Recommendations for the Oral Interview in Police Selection", op.cit.

¹⁸ Ibid. page 10

2. A rating form should be developed and provided to the interviewers. The items to be evaluated should be clearly defined. It was also suggested that a certain rating technique, known as the behaviorally anchored scale, be utilized. This technique associates a certain behavior (the anchor) with either a generally acceptable or generally unacceptable scoring bloc. Within each bloc there are a series of scores which further defines the degree of acceptability or unacceptability.

3. It was recommended that the interview panel consist of four members. The members should represent the interest of those who will most directly be affected by the hiring and should include police agency representation, personnel or civil service commission representation, and community representation.

4. Interviewers should receive adequate orientation concerning the purpose, content and approach of the interview process.

5. The optimum time for each interview should be one hour. The time should be expended in the following manner:

a) Five (5) minutes for interview board members to review available information and ask questions pertaining to that information.

b) Forty (40) minutes for interviewing the applicant on the structured questions previously developed for the interview.

c) Fifteen (15) minutes for the interviewers to complete their rating forms and to discuss their observations.

B. Manual of Interview Guidelines¹⁹

The manual explained the procedures necessary for implementing the recommendations made in the report on interview guidelines. It was intended for use by the interviewers. The manual reiterates much of what was presented in the recommendations for interview guidelines and it informs potential interviewers of the pitfalls encountered during the interview process.

VI. Relationship to Project Objectives

The funded application contained seven implementation and performance objectives, all of which specified timetables for execution of specified phases of the project. The culmination of these tasks resulted in the final work products - a test validated for entry positions in the DPC agencies and recommendations for the oral interview in police selection. The project performed well meeting its projected timetables for completion. The final reports were completed in April 1977 and distributed to the participating agencies.

Impact measures were proposed by the City of Newark but failed to account for anything more than delivery of the three reports. One would assume that a validated test would reduce the number of "discrimination in hiring complaints" that would be sustained by a court or administrative hearing authority. Since the project was completed less than a year ago and only one agency has

¹⁹"Delaware Cooperative Police Selection Study, Manual of Interview Guidelines", op.cit.

utilized the MPOE, it is too early to tell whether the study has had such impact. Most police personnel interviewed felt that a validated test would demonstrate initiative on the part of the agencies participating and would assist in their defense should this type of case be brought to a hearing.

One may also anticipate that a validated test demonstrating job-relatedness would result in the selection of better police officers. Most police personnel interviewed did not believe this would occur because the test was too easily passable and failed to screen out many applicants. Also, at the suggested cut-off score, the predictability of successful job performance was approximately 50-50.

VII. Relationship to Program Area Objectives

This section is presented for the benefit of the Commission to assist in determining whether the objective(s) of the 1976 Comprehensive Plan were achieved. It is emphasized that the success/failure in terms of achievement was not the responsibility of the project.

Program Area E-10 in the 1976 Comprehensive Plan contained two objectives. The first, "to establish fair, consistent procedures for the recruitment, selection and promotion of Delaware police officers"²⁰ was only partially attained. The test validation study was only directed toward the selection phase of employment and did not address recruitment or promotion.

²⁰ Comprehensive Plan, loc.cit.

The second program area objective addressed the need "to eliminate intra-departmental friction and jealousies arising from non-validated promotional procedures." Since the project did not address promotional procedures, this objective was not attained.

The program area implied that all Delaware police agencies should or would participate, yet many did not. According to those interviewed in selected agencies, the reasons for not participating ranged from misinformation (one agency believed their matching share would have been \$30,000) to lack of awareness of the project.

VIII. Practicality of Test Utilization

While the evaluator was reasonably assured by persons knowledgeable in the field that the test was validated in accordance with current guidelines, the practical aspects concerning test usage were questionable. At this writing, only one jurisdiction has used the test. Their experience with it was not favorable.

The City of Newark administered the MPOE to 102 applicants in the fall of 1976. Of that number, 88 received scores above the suggested 120 cutoff, only 14 did not. (An interview with personnel in the Philadelphia regional office of the U.S. Civil Service Commission revealed that jurisdictions in other parts of

the country have had similar results; that is, the test failed to screen out a satisfactory number of applicants.) The consensus among Delaware police personnel was that the test, while being valid, failed to serve its prime purpose—to decrease the number of applicants and to include only those best suited for police work. In essence, the test appeared to do the reverse by screening out only the potentially worse employment prospects.

The DPC agencies expressed dissatisfaction with the test based upon Newark's experience. Of prime concern was the amount of time that would be expended interviewing all applicants who had received passing scores. The consultants proposed that rather than interview all applicants, a certain number of names be picked in a "lottery". This method would be non-discriminatory and all persons receiving passing scores would have an equal chance. Of course, the agencies did not find this to be a desirable hiring procedure. Some agencies have discussed the possibility of raising the cut-off score, but as the study points out, doing so may have an adverse impact upon minority applicants and may not serve to select the best applicants.

An additional source of concern to DPC agencies was the cost of testing. The MPOE costs approximately twice as much than testing devices previously used by the agencies.

. IX. Observations/Considerations/Concerns

A number of observations, considerations and concerns were noted by the evaluator during the course of this investigation and were as follows:

1. During the analysis of the MPOE test validation process, level of education and/or length of service on the job were viewed as contaminating variables; that is, that educational level:

was significantly correlated with four subtests and total test score, and with three performance rating dimensions. Length of service in years was positively and significantly associated with six rating dimensions and the overall rating...²¹

It was unclear why the consultants statistically controlled for these variables when they were found to be positively associated with successful police work.

2. Due to the fact that the test was not administered to a significant number of minority or women patrol officers, valid conclusions relative to the MPOE could not be drawn from the analysis of that data.

3. The recommended 120 cut-off score was based upon preliminary observations that a cut-off score exceeding 120 may have an adverse impact on minority applicants. Yet there were not enough minority applicants involved in the study to make any conclusive recommendations regarding a cut-off score and the 120 cut-off was not highly predictive of future successful job performance.

4. The recommended one-hour oral interview may exceed the financial and administrative capabilities of some of the DPC agencies.

5. The tone of the Test Validation Study Technical Report was very statistically oriented. Perhaps, a report prepared for

²¹Test Validation Study, op.cit. pg. 23.

criminal justice personnel would be more appropriately written in terms easily understood by its audience.

6. The evaluator questioned what particular elements made the MPOE job-related for Delaware police agencies. Not having had access to the actual test, its description appears to be very traditional in nature. For example, the MPOE subtest and some of the item formats were described as follows:²²

verbal comprehension - the understanding of words or ideas

spatial scanning - selecting the one best series of steps from all possible steps to be taken to achieve a given goal

visualization - the formation of mental images of figures or objects as they will appear after certain changes, such as folding or movement of some type

memory for ideas - recalling the issuance of previously studied material (e.g., the main point or topic of a paragraph)

induction - finding general concepts that will fit sets of data; the forming and trying out of hypotheses

It appeared that these types of testing items can generally be found in many tests including aptitude tests, I.Q. tests, college entrance and civil service exams. It was unclear what test elements made the MPOE job related, specifically for police work in Delaware.

Secondly, the criterion related validity was questioned in that, at the recommended 120 cut-off score, the test did not

²²Ibid. page 73-74.

appear to be highly predictive of successful job performance. Analysis of test results and job performance measures revealed that at the 120 point cut-off, approximately 6 out of 10 incumbent officers were successful in their jobs. Thus, if the MPOE was not highly predictive, has criterion-related validity really been substantiated?

X. Recommendations

As a result of this investigation, two recommendations were made.

1) It was recommended that, among those agencies which have chosen or plan to use the validated MPOE, administration of the test be centralized. To eliminate potential tension between departments, it was further recommended that the administration and testing be conducted by the Regional Chiefs of Police. Centralization should result in a more efficient utilization of resources and should protect the integrity of the test scores by ensuring that each applicant does not take the same test numerous times.

2) Should some DPC agencies continue to use the MPOE, it was recommended that the development of a biographical/attitudinal survey, similar to the one presently being developed for clerical workers in the City of Newark, be pursued. The survey could be added to the testing procedure and may assist to further screen out those candidates with the least potential. According to staff in the U.S. Civil Service Commission's Philadelphia office,

funding for this endeavor can probably be obtained through their Intergovernmental Personnel Programs Division. According to one of the specialists in that office, the test supplement would be valid, could be completed fairly quickly and would not have adverse impact on minorities.

APPENDIX A

Police Project Coordinators

Police Project Coordinators

New Castle County

Stanley P. Tabasso

City of Wilmington

Captain William O'Neal

City of Newark

Captain Frederick Herald

City of Dover

Captain Charles O. Donovan

City of Milford

Sgt. Duncan R. Mackie

University of Delaware

Michael Cox

APPENDIX B

Police Advisory Committee

Police Advisory Committee

New Castle County	Major Robert Klosiewicz Patrol Officer Charles Harris
City of Wilmington	Captain William O'Neal Patrol Officer Rita Lacy
City of Newark	Chief William Brierley
City of Dover	Captain Charles Donovan
City of Milford	Chief Richard Carmean
University of Delaware	Captain James McGrory

APPENDIX C

Technical Advisory Committee

Dr. Andrew Crosby
Research Scientist
International Association of Chiefs of Police, Inc.

Mr. Theodore Darany
Regional Psychologist
Intergovernmental Personnel Programs Division
U.S. Civil Service Commission
Philadelphia Regional Office

Dr. Michael Rosenfeld
Program Director
Center for Occupational and Professional Assessment
Educational Testing Service

Dr. Thomas A. Tyler
Director of Testing
International Personnel Management Association

Dr. John C. Smart
Associate Professor
Office of Institutional Research
Virginia Polytechnic Institute and State University

APPENDIX D

LEAA's Technical Assistance Review
Report Submitted by Dan McLellan, Phd.

D. DANIEL MCLELLAN, Ph.D.

ATTORNEY AND COUNSELOR AT LAW

1030 LINDEN STREET - EAST LANSING, MICHIGAN 48823
517/332-4703

JUL 27 1978

July 23, 1978

Ms. Winifred A. Dunton
Attorney/Advisor
Office of Civil Rights Compliance
Law Enforcement Assistance Administration
U.S. Department of Justice
Washington, D.C. 20531

Dear Winnie:

Please find enclosed a copy of my review of the Delaware test materials which you sent to me for analysis. Inasmuch as Ms. Manasse' program evaluation covered so much of the area and covered it so thoroughly and accurately, I have restricted myself to questions of test validity primarily. In general, I would merely adopt her evaluation as part of mine.

If you have any further questions, please contact me.

Very truly yours,

D. Daniel McLellan

✓ CC: Sue Manasse

D. DANIEL McLELLAN, Ph.D.
ATTORNEY AND COUNSELOR AT LAW

1030 LINDEN STREET - EAST LANSING, MICHIGAN 48823
517/332-4703

Technical Assistance Review: Delaware Police Consortium Test Validation Study

Materials Reviewed: 1. Delaware Cooperative Police Selection Study:

- A. Morstain & Hsu, Test Validity Study: Technical Report, April, 1977.
 - B. Hsu & Morstain, Recommendation for the Oral Interview in Police Selection, April, 1977.
 - C. Hsu & Morstain, Manual of Interview Guidelines, April, 1977.
2. Rosenfeld & Thornton, The Development and Validation of a Multijurisdictional Police Examination, ETS, June, 1976.
 3. Manasse, Program Evaluation, March, 1978.

The Police Consortium Test Validation Study Project (composed of six Delaware jurisdictions) contracted with the Delaware Public Administration Institute to develop valid police selection tests. The three reports by Morstain & Hsu represent the results of the DPAI work. The DPAI recommended both a written entry-level examination and an interview process for screening police candidates.

The Oral Interview. It was recognized by the consultants that oral interview data are not very reliable or valid predictors of job performance. Nonetheless, they made recommendations concerning an appropriate interview format to be used in the selection process. In general, I have very little to add to the debate at this point. I agree that interviews are generally useless screening and selection tools but I have no objection to any jurisdiction using them so long as they have no discriminatory adverse impact. Indeed, one of the more common reasons for using an oral interview is to positively impact one's affirmative action goals.

The recommendations of the consultants regarding the format of the structured interviews are useful and appropriate. However, they also point out the high cost of really good interviewing. The only serious concern facing any jurisdiction which would want to use the interview is whether or not it could afford to use it.

The Written Test. The DPAI responded to the need for a valid police selection test by attempting to validate an existing multiple-choice examination which had been developed by Educational Testing Service for the IACP and IPMA. The consultants attempted to demonstrate that the multijurisdictional police officer examination (MPOE) had both content and concurrent validity for the participant jurisdictions. In addition, the consultants suggested how best the MPOE might be used as a selection device by Delaware agencies.

My general reactions to the MPOE may be summarized as follows: (1) the validity of the MPOE has not been satisfactorily demonstrated; (2) the MPOE probably has considerable adverse impact against racial minorities in actual use; (3) the use of the MPOE as suggested by the consultants makes the MPOE of doubtful utility for any jurisdiction. I found the program evaluation by Ms. Manasse to be quite accurate in its assessment of the MPOE and I recommend it as a good practical analysis of the DPAI work. It is unnecessary to duplicate that analysis and I shall restrict my comments to those areas outside of Ms. Manasse's expertise.

Content Validity of the MPOE. The initial effort to demonstrate the validity of the MPOE was to piggyback on the original content validity study conducted by ETS when the MPOE was being developed. Of course, such cooperative uses of validation studies are encouraged by the FEA Guidelines if Delaware was able to demonstrate the similarity of job performance domains. This, of course, assumes that the content validity of the MPOE was adequately demonstrated by Rosenfeld and Thornton in the original ETS study.

The first concern which I have regarding this claim of content validity is that the original report by Rosenfeld and Thornton does not adequately support an inference of content validity. The MPOE is a test of intellectual abilities and, as such, is not an appropriate candidate for a content validation strategy. I think that an effort at construct validity is much more appropriate for the MPOE.

A second concern is that the actual test used in the Delaware study is not the same test developed by ETS and reported on by Rosenfeld and Thornton. The test used by Delaware is considerably shorter and has also dropped two subscales found in the original version. Basically, ETS claimed that the original version of the MPOE was content valid and now Delaware wants to incorporate that claim even though the two tests are dissimilar. Such an attempt is impermissible.

Finally, and most importantly, I do not believe that the data presented clearly demonstrate that test performance is very closely linked to the job of being a police officer. It is basic to a claim of content validity that there is a demonstrable relationship between the content of the test and job performance. That fundamental demonstration has not been made in any of the reports which I have reviewed. For this reason, and those suggested above, I do not believe that any jurisdiction should or could justify the use of the MPOE on the basis of these content validity claims.

Concurrent Validity of the MPOE. The second method used to attempt to demonstrate the validity of the MPOE was that of criterion-related concurrent validation. Incumbent police officers were given the MPOE and their test scores were then correlated with job performance ratings. There are a number of important problems which appear in this effort to validate the MPOE.

First, I note that the concurrent validation results of Rosenfeld and Thornton were conflicting. In two of the four jurisdictions which participated in this original study there was no evidence of any relationship between test scores and performance as a police officer. This points out the important aspect of validation that no test is ever fully "valid" for use everywhere. It is possible for a test to be valid in one jurisdiction and not valid in another. That is why the FEA Guidelines require that each jurisdiction which uses a test must validate the test for itself. It is incorrect to believe that there is any such thing as a multijurisdictional test which need not be validated for each particular jurisdiction. Thus, I am somewhat skeptical about the Delaware validation data which combines results from a number of jurisdictions. No individual jurisdiction could rely on the overall validation results because of the blending of the data which obscures the individual jurisdiction's unique character. In essence, the validation data presented by Delaware is irrelevant to any particular jurisdiction which would want to justify the use of the MPOE under the FEA Guidelines.

Second, the original concurrent validation study reported that the criterion measure (i.e., the job performance measure) was probably contaminated, and was therefore unreliable. The Delaware study used a similar device to measure job performance and failed to adequately deal with the problem of criterion validity and reliability. Very simply, concurrent validation attempts to demonstrate that test performance is predictive of, or correlates with, actual job performance. If the measure of actual job performance is itself a test which measures something other than job performance, then the correlation between the selection test scores and the job performance scores is meaningless. I am concerned that the performance ratings used to measure the job performance of the incumbent officers may be in error. Therefore, I am hesitant to accept the validity data.

I should also note that the statistical manipulation of the validity data, which is an acceptable procedure in research, does not add much to our understanding in these circumstances. The relationships among the test scores and other variables such as tenure or education should not be statistically eliminated merely to create a hypothetical validity coefficient. These relationships, in fact, may reveal important insights about the test and how it will operate in the actual selection process.

Utility of the MPOE. Although it is a practical question which has to be answered by individual jurisdictions, it appears that the MPOE is not very useful for selecting police officers. The recommended passing score of 120 coupled with the random selection of candidates from among those who pass does little to increase the quality of applicants selected. The utility of the MPOE which is suggested by Morstain and Hsu rather substantially overestimates the probable actual utility of the test in actual practice.

The cut-off score is clearly set low enough to increase the number of minority candidates who pass the test significantly. Also, the use of the score in a pass/fail manner rather than ranking applicants by their scores is another attempt to avoid some adverse impact. Morstain and Hsu have correctly seen the serious adverse impact of the test and have attempted to minimize it as much as possible. The result of this effort is to reduce the utility of the test to a marginal level.

I would not recommend that the cut-off score be set higher or that the scores be used to rank candidates because I do not believe that the validity evidence presented would support the use of the test in light of the probable serious adverse impact which would result.

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

COLLEGE OF URBAN AFFAIRS
AND PUBLIC POLICY
RAUB HALL
PHONE: 302-738-2394

RECEIVED MAY 19 1978

May 15, 1978

Ms. Christine Harker
Director
Governor's Commission on
Criminal Justice
State Office Building
820 French Street
Wilmington, Delaware 19801

Dear Ms. Harker:

We are in receipt of the evaluation report prepared by Ms. Susan Manasee of your staff of the Delaware Police Consortium Test Validation Study (Grant No. 76-041). We have reviewed the report. As the consultants to the project, we have a professional obligation to express some serious concerns regarding the content of the document. One major problem is that the evaluation was based on erroneous assumptions of the project's purpose and objectives. Secondly--from a technical standpoint, the evaluation contains numerous factual inaccuracies, incomplete and misleading information; a minimum of 18 specific references can be cited to demonstrate this point. Furthermore, the report contains numerous inconsistencies and statements which do not appear to be substantiated.

The objectives of the project were clearly and explicitly stated in both the grant proposal as well as in the project reports. The proposal submitted to the Governor's Commission on Criminal Justice (then D.A.R.C.) contained the following Goal Statement: (section B - Project Narrative)

"The goal of this project is to perform a job analysis and validation study of a variety of existing entry level Police Officer written examinations in an attempt to validate a test specifically for the Delaware Police Consortium, and to develop a recommended oral examination procedure."

In our judgment, these goals were met and documented in the project reports.

Ms. Christine Harker
May 15, 1978
Page 2

In the evaluation report (page 16), the evaluator states that "Program Area E-10 in the 1976 Comprehensive Plan contained two objectives. The first, 'to establish fair, consistent procedures for the recruitment, selection and promotion of Delaware police officers,' was only partially attained. The test validation study was only directed toward the selection phase of employment and did not address recruitment or promotion." Clearly, the objectives of the Test Validation Study did not include development of recruitment or promotion procedures.

We will not deal, in the scope of this letter, with each of the 18 points which fall under the above mentioned category of "factual inaccuracies, incomplete and misleading information, and misinterpretation of information," with respect to technical issues. We will be happy to discuss the specific points with Ms. Manasee or the Enforcement Committee. However, a general and significant point should be made. In accordance with professional standards for personnel selection research, an assessment of criterion-related validity of a given test centers principally on the relationship or correlation between performance on the test and performance on the job as demonstrated by a defined criterion of job success (in our study the criteria used were supervisory evaluation ratings). The statistical technique used to indicate the magnitude of this relationship is the Pearson correlation coefficient. This information was explained in detail in our report. The evaluator did not once reference this information in speaking to the question of test validity; but instead erroneously used a table (from page 29) of our report in attempting to evaluate the validity of the test. This table was presented for the purpose of discussion regarding possible cut-off scores for the test, and not to demonstrate validity of the test.

It should also be noted that while the evaluator felt that the "report prepared for criminal justice personnel would be more appropriately written in terms easily understood by its audience"; the final report was the result of many hours of review by and discussion with members of the Police Advisory Committee to the project. This eight member advisory committee was composed of police officers from all of the police agencies involved in the study.

We will not go into all of the inconsistencies and unsubstantiated statements in this letter. Yet, we do feel compelled to make note of a particular statement which appears as a conclusion in the report. While the evaluator states in at least four separate segments in the evaluation report that the test was shown to have validity, the conclusion drawn in Section IX ("Observations/Considerations/Concerns") is: "Even though it was said to have been statistically validated, the evaluator questioned whether the MPOE was in fact useful, job-related and criterion-related for Delaware police" (p. 19).

Ms. Christine Harker
May 15, 1978
Page 3

To reiterate, we will be more than happy to meet with Ms. Manasee and the Enforcement Committee to elaborate on the points presented above. Thank you for your attention in the matter.

Very sincerely,



Barry Morstain
Associate Professor



Linda Hsu
Acting Director, Delaware Public
Administration Institute

BRM/LH:sml

cc: Patrick MacQueen

*File
with file
Police Test Unit for Study*

D. DANIEL McLELLAN, PH.D.
ATTORNEY AND COUNSELOR AT LAW
1090 LINDEN STREET • EAST LANSING, MICHIGAN 48823
517/352-4703

JUL 27 1978

July 23, 1978

Ms. Winifred A. Dunton
Attorney/Advisor
Office of Civil Rights Compliance
Law Enforcement Assistance Administration
U.S. Department of Justice
Washington, D.C. 20531

Dear Winnie:

Please find enclosed a copy of my review of the Delaware test materials which you sent to me for analysis. Inasmuch as Ms. Manasse' program evaluation covered so much of the area and covered it so thoroughly and accurately, I have restricted myself to questions of test validity primarily. In general, I would merely adopt her evaluation as part of mine.

If you have any further questions, please contact me.

Very truly yours,

D. Daniel McLellan

Manasse
cc: Sue Manasse

D. DANIEL McLELLAN, PH.D.
ATTORNEY AND COUNSELOR AT LAW

1030 LINDEN STREET - EAST LANSING, MICHIGAN 48823
517/332-4703

Technical Assistance Review: Delaware Police Consortium Test Validation Study

Materials Reviewed: 1. Delaware Cooperative Police Selection Study:

- A. Morstain & Hsu, Test Validity Study: Technical Report, April, 1977.
 - B. Hsu & Morstain, Recommendation for the Oral Interview in Police Selection, April, 1977.
 - C. Hsu & Morstain, Manual of Interview Guidelines, April, 1977.
2. Rosenfeld & Thornton, The Development and Validation of a Multijurisdictional Police Examination, ETS, June, 1976.
 3. Manasse, Program Evaluation, March, 1978.

The Police Consortium Test Validation Study Project (composed of six Delaware jurisdictions) contracted with the Delaware Public Administration Institute to develop valid police selection tests. The three reports by Morstain & Hsu represent the results of the DPAI work. The DPAI recommended both a written entry-level examination and an interview process for screening police candidates.

The Oral Interview. It was recognized by the consultants that oral interview data are not very reliable or valid predictors of job performance. Nonetheless, they made recommendations concerning an appropriate interview format to be used in the selection process. In general, I have very little to add to the debate at this point. I agree that interviews are generally useless screening and selection tools but I have no objection to any jurisdiction using them so long as they have no discriminatory adverse impact. Indeed, one of the more common reasons for using an oral interview is to positively impact one's affirmative action goals.

The recommendations of the consultants regarding the format of the structured interviews are useful and appropriate. However, they also point out the high cost of really good interviewing. The only serious concern facing any jurisdiction which would want to use the interview is whether or not it could afford to use it.

2

The Written Test. The DPAI responded to the need for a valid police selection test by attempting to validate an existing multiple-choice examination which had been developed by Educational Testing Service for the IACP and IPMA. The consultants attempted to demonstrate that the multijurisdictional police officer examination (MPOE) had both content and concurrent validity for the participant jurisdictions. In addition, the consultants suggested how best the MPOE might be used as a selection device by Delaware agencies.

My general reactions to the MPOE may be summarized as follows: (1) the validity of the MPOE has not be satisfactorily demonstrated; (2) the MPOE probably has considerable adverse impact against racial minorities in actual use; (3) the use of the MPOE as suggested by the consultants makes the MPOE of doubtful utility for any jurisdiction. I found the program evaluation by Ms. Manasse to be quite accurate in its assesment of the MPOE and I recommend it as a good practical analysis of the DPAI work. It is unnecessary to duplicate that analysis and I shall restrict my comments to those areas outside of Ms. Manasse's expertise.

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10-07/78/05/9

REV -
FILE
EVALS

POLICE CONSORTIUM TEST VALIDATION STUDY

(City of Newark)

A Program Evaluation
Submitted to the
Enforcement Committee
of the
Governor's Commission on Criminal Justice

Susan C. Manasse
Monitoring/Evaluation Unit - GCCJ
March 1978

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PROJECT INFORMATION

General:

Grant Number: 76-041
Grant Title: Police Consortium Test Validation Study
Implementing Agency: City of Newark
Project Director: J. Patrick MacQueen
Grant Period: February 1, 1976 through April 30, 1977

Budget:

	<u>Federal</u>	<u>Match</u>	<u>Total</u>
Professional Services	\$12,100	\$2,375	\$14,475

I. Introduction

Title VII of the Civil Rights Act of 1964 Section 703(h) expressly recognized testing as a permissible prerequisite to employment where it was stated that:¹

Nor shall it be an unlawful employment practice for an employer to give and act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended or used to discriminate because of race, color, religion, sex or national origin.

The Act also states that any employment practice which on the surface appears neutral but has been shown to be discriminatory in operation is prohibited unless the employer can prove that its testing requirements have a manifest relationship to job performance.²

In *Griggs v. Duke Power Company* (1971)³, the Supreme Court further defined non-discriminatory testing when it ruled that a test used for hiring or promotion is not valid if it "operates to exclude negroes [and] cannot be shown to be related to job performance."⁴ In this case, the court also ruled that a test which serves to exclude proportionately more blacks than whites, "...despite a lack of any discriminatory intent on the part of those developing and using the tests..."⁵ is prohibited.

¹42 U.S.C.A. § 2000E-2(h).

²Civil Rights Act of 1964, § 703(a)(2), (h), 42 U.S.C.A. § 200E-2(a)(2), (h).

³401 U.S. at 431, 91 S. Ct. at 849, 28 L. Ed 2d: 158 (1971)

⁴*Ibid*

⁵474 F. 2d 906 (1973), pg. 911.

Citing the Civil Rights Act of 1964 in the U.S. v. Georgia Power Company, the court decided that where a series of tests excludes more blacks than whites from employment, the burden is placed upon the employer to prove the necessity of the tests.⁶ Finally, it is pertinent to note that in the same ruling the court stated that an employment test is not valid unless it is evaluated in the same setting in which it is used.⁷ Thus, not only must a test be shown to be job-related, but it must also be validated in the locale in which it will be administered and the burden of proving the test is valid is placed upon those administering the test.

In late 1974, the subject of selection procedures became an increasing source of concern to law enforcement agencies in Delaware. In early 1975, the Delaware Public Administration Institute, financed in part by the U.S. Federal Civil Service Commission and affiliated with the University of Delaware's Division of Urban Affairs and Public Policy, administered a questionnaire to public employers. The results of the questionnaire identified police agencies as those most in need of test validation research. In March of that year, a police consortium was formed for the purpose of pursuing a cooperative effort in selection validation.

In response to the consortium's wishes, the Governor's Commission on Criminal Justice allocated \$12,100 to program area E-10 in the 1976 Comprehensive Plan. This program area addressed

⁶Ibid. p. 907.

⁷Ibid. p. 907

the need ... "to establish minimum standards for selection/recruitment and promotion within police departments... [by] participation in national test validation projects."⁸

In January, 1976, the GCCJ awarded the total \$12,100 to the City of Newark, which acted as the administrative sponsor for the Police Consortium Test Validation Study project. The consortium consisted of the following six jurisdictions: Newark, New Castle County, Wilmington, Milford, Dover and the University of Delaware Security Force. Each agency contributed a portion of funds based upon the number employed per agency, for the required cash match. A total of \$2375 was collected. Thus, the total amount of funds provided to the project was \$14,475.

The consortium contracted the Delaware Public Administration (DPA) Institute to conduct the validation study. Project start-up was delayed until May, 1976, when the LEAA regional office agreed that the Institute was the sole source of these services and that the contracting did not require that bids be obtained from other consultants.

The project was completed in April 1977. Three reports were presented to the Delaware Police Consortium (DPC agencies). One report made recommendations for the oral interview utilized in police selection.⁹ In conjunction with this report, a manual

⁸ Governor's Commission on Criminal Justice, 1976 Comprehensive Plan, prepared for the Law Enforcement Assistance Administration, Wilmington, Delaware, June 1975, p. 473

⁹ "Delaware Cooperative Police Selection Study, Recommendations for the Oral Interview in Police Selection", Linda Hsu and Barry R. Morstain, College of Urban Affairs and Public Policy, University of Delaware, Newark, Delaware, April 1977.

of interview guidelines was developed.¹⁰ Finally, the report on the validation study itself was prepared.¹¹ This report described the approach taken during validation procedures, results of the validation study and recommendations for the DPC agencies.

This was a "one shot" project in that continuation funds were not provided in either the 1977 or 1978 Comprehensive Plans. To date, only one agency has utilized the test that was validated by the DPA Institute.

II. Project Expenditures

All funds allocated to the City of Newark were placed in the "consultant services" budget category. The following describes the manner in which those funds were expended by the contractee:

Personnel	\$ 9,715
Travel	728
Supplies	488
Operating Expenses	3,474
Other	70
	<u>\$14,475</u>

Personnel expenditures paid for the services of four employees. Two professional researchers were paid for one-

¹⁰"Delaware Cooperative Police Selection Study, Manual of Interview Guidelines", Linda Hsu and Barry R. Morstain, College of Urban Affairs and Public Policy, University of Delaware, Newark, Delaware, April 1977.

¹¹"Delaware Cooperative Police Selection Study, Test Validation Study: Technical Report", Barry R. Morstain and Linda Hsu, College of Urban Affairs and Public Policy, University of Delaware, Newark, Delaware, April 1977.

third of their time over the entire project period. Two other employees, a computer programmer and a secretary, were paid for 20 days of services. Travel costs were incurred as a result 1) of a training session attended by one of the project's staff members, 2) for conferences between project researchers and developers of the test that was validated, and 3) for miscellaneous in-state travel. Funds expended in the supplies category were utilized to pay for the test and research materials. Expenditures in the operating expenses category paid for data processing time, meeting rooms, report reproduction and a 20 percent overhead rate. The \$70 expended in the "Other" category was charged as a honoraria, an expense clearly not allowable under LEAA guidelines.¹²

III. Project Coordinator's/Committee Responsibilities

In May 1976, following LEAA's approval of the contract, DPC project coordinators and two advisory committees were appointed. The project coordinators were responsible for the administrative implementation of the project within their respective law enforcement agencies. Their duties included administering tests, job questionnaires, selecting a validation sample and acting as liaisons between the individual agency and the project. A list of project coordinators is contained in Appendix A (page 7).

¹²"Financial Management for Planning and Action Grants", Guideline Manual M7100. 1A, U.S. Department of Justice, Law Enforcement Assistance Administration, Washington, D.C., April 30, 1973, Chapter 3, paragraph 31, p. 22.

The Police Advisory Committee consisted of eight members; one from each of the four smaller departments (Newark, Dover, Milford and the University of Delaware) and two from each of the larger jurisdictions (Wilmington and New Castle County). The Police Advisory Committee was charged with the responsibility of reviewing each phase of the project as it progressed. Accordingly, the committee met on three different occasions. A complete list of the Police Advisory Committee members is contained in Appendix B (page 7).

The Technical Advisory Committee was composed of persons knowledgeable of job analysis and validation procedures. This committee reviewed and commented on the project's methods, procedures and final work products from a technical perspective. A list of persons appointed to this committee is contained in Appendix C (page 7).

IV. The Validation Study

A. Procedures

The approach taken by the DPA Institute was first to survey other research efforts in the area of police selection. According to Institute personnel, the most notable research in this area to date was conducted by the International Association of Chiefs of Police (IACP), the International Personnel Management Association (IPMA) and the Educational Testing Service (ETS). From this study, hereafter referred to as the ETS study, a multi-jurisdictional police officer examination (MPOE) was developed. The MPOE was the test chosen by the project to be validated.

The first phase of the validation study was to conduct a job analysis of the entry-level police officer position in each DPC agency. The Delaware Public Administration Institute administered a job analysis questionnaire which listed job dimensions that were believed to be of importance to the patrol officer position. These job dimensions included handling routine calls for service, search and seizure procedures, community relations, facilitating traffic flow, court testimony, gathering information and reporting, arrest procedures and judgement and vigilance in patrol activities.

A rating form was developed through which the importance of each of the job dimensions to patrol officers could be measured. The rating form was administered to 341 officers (223 patrol officers and 118 supervisors) assigned to the six DPC agencies. Each officer was requested to place a numerical value on each job dimension based upon the relative importance each gave to that particular function. The ratings were given on a scale of zero (not applicable) to four (of greatest importance). The results of this exercise is contained in Exhibit A.

The job dimension receiving the lowest mean rating (2.59) by patrol officers was that pertaining to "responding to calls for police assistance". This same group found that the job dimension pertaining to "dangerous emergencies" was very important, thus a mean score rating of 3.65 was given to it. The scores obtained for each job dimension revealed that none of the job dimensions was rated to be of little or no importance. It was also

interesting to note that supervisors consistently gave higher mean ratings for each of the job dimensions.

EXHIBIT A

Job Analysis of Entry Level Police
Officer Positions in DPC Agencies

<u>Job Dimension</u>	Mean rating*	
	<u>Patrol Officers (223)</u>	<u>Supervisors (118)</u>
Responding to Calls for Police Assistance	2.59	2.74
Search and Seizure Procedures	3.27	3.41
Vigilance and Judgement in Patrol Activities	2.88	2.97
Booking of Prisoners	2.38	2.55
Facilitating Traffic Flow	2.63	2.75
Making Routine Checks	2.90	2.92
Community Relations	2.80	2.83
Crowd Control	3.24	3.31
Dangerous Emergencies	3.65	3.69
Court Testimony	3.20	3.41
Gathering Information and Reporting	2.86	3.10
Arrest Procedures	2.96	3.05
Arrest Reports	3.17	3.22
Work Preparation	2.76	2.79

* Average importance scores are determined by the scale 0 -- not applicable; 1 -- little or no importance; 2 -- moderately important; 3 -- very important; 4 -- of greatest importance.

The MPOE, developed in the ETS Study, was based upon identification and assessment of job dimensions important to entry-level police officer positions. To determine whether the content of the MPOE was valid and job related among the DPC agencies, the DPA Institute had to demonstrate that the perceptions of local Delaware police personnel were similar to the perceptions documented in the national ETS study. Based upon their analysis, the DPA Institute concluded that:

the job analysis findings at the local DPC level...
and comparison to the national data... indicate
that the MPOE is content relevant and job related...¹³

Once content validity had been established, the consultants began the second phase of the project - the administration of the MPOE. The test was administered to 162 of the 223 patrol officers. Sixty-one (61) officers were excluded from the test administration phase of the project for various reasons including the fact that some were performing functions differing significantly from those involved with patrol or that some had significantly longer experience on the force.

At the same time, a performance evaluation instrument was developed with an instruction manual for supervisors to use in evaluating the patrol officers. Each of the 162 officers who took the MPOE was rated by their immediate supervisor according to the manner in which they were believed to perform various tasks. A seven point rating scale was utilized. A score of one indicated the officer needed improvement, a rating of four indicated acceptable performance and a seven denoted that the officer was highly

¹³ Delaware Cooperative Police Selection Study, Test Validation Study: A Technical Report op.cit p. 7.

competent in performing the specific task being rated.

Supervisory personnel evaluation ratings were correlated with the test results of the MPOE. If a relationship between the two measures could be found; that is, if evidence could be produced to show that performance on the test was predictive of performance on the job, criterion-related validity would be substantiated.

Test score distribution was categorized into five score ranges and compared with the mean job performance evaluation ratings for individuals. (The mean job performance evaluation rating was 4.8. This figure was arbitrarily picked to denote successful job performance. Those receiving a score of 4.8 or greater were designated as successful officers, those receiving 4.7 or less were unsuccessful in their jobs.) The result of this analysis is presented in Exhibit B.¹⁴

EXHIBIT B

Comparative Analysis of Test Score Ranges and Overall Job Performance Evaluation Ratings

Test Score Range	Number of Officers Receiving Score	Mean Job Performance Evaluation Rating	Number of officers receiving successful job performance evaluation ratings in score range category (4.8 or greater)
137 - Above	39	5.1	25
130 - 136	31	5.0	20
126 - 129	30	4.8	16
120 - 125	34	4.8	17
119 - below	28	4.2	8

¹⁴Ibid. page 29.

Review of the Exhibit revealed that those individuals receiving a score of 130 or greater were most likely to be successful police officers. Of the 70 officers in the two highest test score ranges, 64 percent (45) were designated as successful in their jobs in that they received job performance evaluation ratings of 4.8 or greater. Of the officers receiving test scores in the third and fourth ranges (126-129 and 120-125), approximately one-half or 52 percent (33) were performing successfully in their jobs. Of those receiving scores of 119 or below, only 29 percent (8) received successful job performance ratings.

B. Test Validation Study Conclusions and Recommendations

The Test Validation Study Technical Report presented a number of conclusions and recommendations which are summarized below:¹⁵

1. Job Analysis data obtained from the Delaware Police consortium agencies indicated a high degree of agreement with the findings nationally obtained in the ETS study. Therefore, the content validity of the test appeared supportable in the local context and built upon the research conducted by the IACP, IPMA and ETS on the national level.

2. The study recommended a cutoff score of 120 on the MPOE. It was interesting to note that in the comparison of test scores and job performance evaluation ratings, a little over one-half (58 percent) of the officers receiving scores of 120 or more were successful in their jobs. Thus, the ability to predict

¹⁵Ibid. pages 33-39

successful job performance based upon test scores of 120+ was poor.

3. The study recommended that the DPC agencies consider "cooperative arrangements" for the written and physical agility tests.

4. The written test should be viewed as just one component of the total selection process. Other selection devices should include physical agility tests, oral interviews and background investigations.

C. Test Validity

Interviews were conducted with DPA Institute personnel, the staff in the Philadelphia regional office of the U.S. Civil Service Commission and personnel administrators in certain police agencies to determine whether the MPOE was valid for use in the Delaware Police Consortium agencies since its predictive qualities appeared questionable. These interviews revealed that the study followed the guidelines for test validation set forth by the Equal Employment Opportunity Commission (EEOC) and the Equal Employment Opportunity Coordinating Council (EEOCC) which is responsible for coordinating all existing EEO guidelines and for developing a uniform set of regulations and guidelines. While EEOCC guidelines have not, to date, been adopted, those knowledgeable in the field believe they will soon be recognized by all agencies.

Insofar as the validation study followed necessary guidelines, those interviewed believed the MPOE was shown to be a valid test

for DFC agencies. Each emphasized, however, that whether test validity would be sustained in a court of law was unpredictable and could depend upon the particular charge levied, the circumstances surrounding the case or the presiding judge.

V. Oral Interview Reports

Delaware Police Consortium agencies also requested the DPA Institute to investigate the oral interview component of the selection process and to make recommendations for its improvement. Two reports were completed as a result of this request. Each will be discussed separately.

A. Recommendations for the Oral Interview¹⁶

This report made specific recommendations, based upon research conducted by the consultants, concerning the administration of the oral interview. Generally, the consultants stated that the oral interview has low validity and is not a very reliable indicator of successful job performance. However, it is not likely that the popularity of the oral interview will diminish. The DPA Institute made the following major recommendations for its usage:

1. Delaware Police Consortium agencies should utilize a semi-structured interview format. A semi-structured interview is one in which:

All applicants are asked some questions in common, the phrasing and sequence of which are standardized and predetermined; the interviewer is allowed to ask follow-up questions [and] time allowances for applicants can vary.¹⁷

¹⁶"Delaware Cooperative Police Selection Study, Recommendations for the Oral Interview in Police Selection", op.cit.

¹⁷Ibid. page 10

2. A rating form should be developed and provided to the interviewers. The items to be evaluated should be clearly defined. It was also suggested that a certain rating technique, known as the behaviorally anchored scale, be utilized. This technique associates a certain behavior (the anchor) with either a generally acceptable or generally unacceptable scoring bloc. Within each bloc there are a series of scores which further defines the degree of acceptability or unacceptability.

3. It was recommended that the interview panel consist of four members. The members should represent the interest of those who will most directly be affected by the hiring and should include police agency representation, personnel or civil service commission representation, and community representation.

4. Interviewers should receive adequate orientation concerning the purpose, content and approach of the interview process.

5. The optimum time for each interview should be one hour. The time should be expended in the following manner:

- a) Five (5) minutes for interview board members to review available information and ask questions pertaining to that information.
- b) Forty (40) minutes for interviewing the applicant on the structured questions previously developed for the interview.
- c) Fifteen (15) minutes for the interviewers to complete their rating forms and to discuss their observations.

B. Manual of Interview Guidelines¹⁸

The manual explained the procedures necessary for implementing the recommendations made in the report on interview guidelines. It was intended for use by the interviewers. The manual reiterates much of what was presented in the recommendations for interview guidelines and it informs potential interviewers of the pitfalls encountered during the interview process.

VI. Relationship to Project Objectives

The funded application contained seven implementation performance objectives, all of which specified timetables for execution of specified phases of the project. The culmination of these tasks resulted in the final work products - a test validated for entry positions in the DPC agencies and recommendations for the oral interview in police selection. The project performed well meeting its projected timetables for completion. The final reports were completed in April 1977 and distributed to the participating agencies.

Impact measures were proposed by the subgrantee but failed to account for anything more than delivery of the three reports. One would assume that a validated test would reduce the number of "discrimination in hiring complaints" that would be sustained by a court or administrative hearing authority. Since the project was completed less than a year ago and only one agency has

¹⁸"Delaware Cooperative Police Selection Study, Manual of Interview Guidelines", op.cit.

utilized the MPOE, it is too early to tell whether the study has had such impact. Most police personnel interviewed felt that a validated test would demonstrate initiative on the part of the agencies participating and would assist in their defense should this type of case be brought to a hearing.

One may also anticipate that a validated test demonstrating job-relatedness would result in the selection of better police officers. Most police personnel interviewed did not believe this would occur because the test was too easily passable and failed to screen out many applicants. Also, at the recommended cut-off score, the predictability of successful job performance was approximately 50-50.

VII. Relationship to Program Area Objectives

Program Area E-10 in the 1976 Comprehensive Plan contained two objectives. The first, "to establish fair, consistent procedures for the recruitment, selection and promotion of Delaware police officers,"¹⁹ was only partially attained. The test validation study was only directed toward the selection phase of employment and did not address recruitment or promotion.

The second program area objective addressed the need "to eliminate intra-departmental friction and jealousies arising from non-validated promotional procedures." Since the project did not address promotional procedures, this objective was not attained.

¹⁹Comprehensive Plan, loc.cit.

The program area implied that all Delaware police agencies should or would participate, yet many did not. According to those interviewed in selected agencies, the reasons for not participating ranged from misinformation (one agency believed their matching share would have been \$30,000) to lack of awareness of the project.

VIII. Practicality of Test Utilization

While the evaluator was reasonably assured by persons knowledgeable in the field that the test was validated in accordance with current EEOC and EEOCC guidelines, the practical aspects concerning test usage were questionable. At this writing, only one jurisdiction has used the test. Their experience with it was not favorable.

The City of Newark administered the MPOE to 102 applicants in the fall of 1976. Of that number, 88 received scores above the recommended 120 cutoff, only 14 did not. An interview with personnel in the Philadelphia regional office of the U.S. Civil Service Commission revealed that jurisdictions in other parts of the country have had similar results; that is, the test failed to screen out a satisfactory number of applicants. The consensus among Delaware police personnel was that the test, while being valid, failed to serve its prime purpose—to decrease the number of applicants and to include only those best suited for police work. In essence, the test appeared to do the reverse by screening out only the potentially worse employment prospects.

The DPC agencies expressed dissatisfaction with the test

based upon Newark's experience. Of prime concern was the amount of time that would be expended interviewing all applicants who had received passing scores. The consultants proposed that rather than interview all applicants, a certain number of names be picked in a "lottery". This method would be non-discriminatory and all persons receiving passing scores would have an equal chance. Of course, the agencies did not find this to be a desirable hiring procedure. Some agencies have discussed the possibility of raising the cut-off score, but as the study points out, doing so may have an adverse impact upon minority applicants and may not serve to select the best applicants.

An additional source of concern to DPC agencies was the cost of testing. The MPOE costs approximately twice as much than testing devices previously used by the agencies.

IX. Observations/Considerations/Concerns

A number of observations, considerations and concerns were noted by the evaluator during the course of this investigation and were as follows:

1. During the analysis of the MPOE test validation process, level of education and/or length of service on the job were viewed as contaminating variables; that is, that educational level:

was significantly correlated with four subtests and total test score, and with three performance rating dimensions. Length of service in years was positively and significantly associated with six rating dimensions and the overall rating...²⁰

²⁰Test Validation Study, op.cit. pg. 23.

It was unclear why the consultants statistically controlled for these variables when they were found to be positively associated with successful police work.

2. Due to the fact that the test was not administered to a significant number of minority or women patrol officers, valid conclusions relative to the MPOE could not be drawn from the analysis of that data.

3. The recommended 120 cut-off score was based upon preliminary observations that a score exceeding 120 may have an adverse impact on minority applicants. Yet there were not enough minority applicants involved in the study to make any conclusive recommendations regarding a cut-off score and the 120 cut-off was not highly predictive of future successful job performance.

4. The recommended one-hour oral interview may exceed the financial and administrative capabilities of some of the DPC agencies.

5. The tone of the Test Validation Study Technical Report was very statistically oriented. Perhaps, a report prepared for criminal justice personnel would be more appropriately written in terms easily understood by its audience.

6. Even though it was said to have been statistically validated, the evaluator questioned whether the MPOE was in fact useful, job-related and criterion-related for Delaware police agencies. With respect to its job-relatedness, the test appears very traditional in nature. For example, the MPOE subtest and some of the item formats were described as follows:²¹

²¹Ibid. page 73-74.

verbal comprehension - the understanding of words or ideas

spatial scanning - selecting the one best series of steps
from all possible steps to be taken to achieve a
given goal.

visualization - the formation of mental images of figures
or objects as they will appear after certain changes,
such as folding or movement of some type

memory for ideas - recalling the issuance of previously
studied material (e.g., the main point or topic of
a paragraph)

induction - finding general concepts that will fit sets of
data; the forming and trying out of hypotheses

It appeared that these types of testing items can generally
be found in many tests including aptitude tests, I.Q. tests,
college entrance and civil service exams. It was unclear what
test elements made the MPOE's content valid, specifically for
police work in Delaware.

Secondly, the criterion related validity was questioned in
that, at the recommended 120 cut-off score, the test did not
appear to be highly predictive of successful job performance.
Analysis of test results and job performance measures revealed
that at the 120 point cut-off, approximately 6 out of 10 incumbent
officers were successful in their jobs. Thus, if the MPOE was
not highly predictive, has criterion-related validity really been
substantiated?

X. Recommendations

As a result of this investigation, three recommendations were made.

1) It was recommended that, among those agencies which are either using or plan to use the validated MPOE, administration of the test be centralized. To eliminate potential tension between departments, it was further recommended that the administration and testing be conducted by the Regional Chiefs of Police. Centralization should result in a more efficient utilization of resources and should protect the integrity of the test scores by ensuring that each applicant does not take the same test numerous times.

2) It was recommended that the DPC agencies contract the DPA Institute to develop a biographical/attitudinal survey, similar to the one presently being developed for clerical workers in the City of Newark. The survey could be added to the testing procedure and may assist to further screen out those candidates with the least potential. According to staff in the U.S. Civil Service Commission's Philadelphia office, funding for this endeavor can probably be obtained through their Intergovernmental Personnel Programs Division. According to one of the specialists in that office, the test supplement would be valid, could be completed within six weeks of initiation of the contract and would not have adverse impact on minorities.

3. It was recommended that the \$70 expended for the honoraria fee be returned to GCCJ immediately.

APPENDIX A

Police Project Coordinators

New Castle County	Stanley P. Tabasso
City of Wilmington	Captain William O'Neal
City of Newark	Captain Frederick Herald
City of Dover	Captain Charles O. Donovan
City of Milford	Sgt. Duncan R. Mackie
University of Delaware	Michael Cox

APPENDIX B

Police Advisory Committee

New Castle County	Major Robert Klosiewicz Patrol Officer Charles Harris
City of Wilmington	Captain William O'Neal Patrol Officer Rita Lacy
City of Newark	Chief William Brierley
City of Dover	Captain Charles Donovan
City of Milford	Chief Richard Carmean
University of Delaware	Captain James McGrory

APPENDIX C

Technical Advisory Committee

Dr. Andrew Crosby
Research Scientist
International Association of Chiefs of Police, Inc.

Mr. Theodore Darany
Regional Psychologist
Intergovernmental Personnel Programs Division
U.S. Civil Service Commission
Philadelphia Regional Office

Dr. Michael Rosenfeld
Program Director
Center for Occupational and Professional Assessment
Educational Testing Service

Dr. Thomas A. Tyler
Director of Testing
International Personnel Management Association

Dr. John C. Smart
Associate Professor
Office of Institutional Research
Virginia Polytechnic Institute and State University

UNIVERSITY OF DELAWARE
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19711

COLLEGE OF URBAN AFFAIRS
AND PUBLIC POLICY
RAUB HALL
PHONE: 302-738-2394

May 15, 1978

Ms. Christine Harker
Director
Governor's Commission on
Criminal Justice
State Office Building
820 French Street
Wilmington, Delaware 19801

Dear Ms. Harker:

We are in receipt of the evaluation report prepared by Ms. Susan Manasee of your staff of the Delaware Police Consortium Test Validation Study (Grant No. 76-041). We have reviewed the report. As the consultants to the project, we have a professional obligation to express some serious concerns regarding the content of the document. One major problem is that the evaluation was based on erroneous assumptions of the project's purpose and objectives. Secondly--from a technical standpoint, the evaluation contains numerous factual inaccuracies, incomplete and misleading information; a minimum of 18 specific references can be cited to demonstrate this point. Furthermore, the report contains numerous inconsistencies and statements which do not appear to be substantiated.

The objectives of the project were clearly and explicitly stated in both the grant proposal as well as in the project reports. The proposal submitted to the Governor's Commission on Criminal Justice (then D.A.R.C.) contained the following Goal Statement: (section B - Project Narrative)

"The goal of this project is to perform a job analysis and validation study of a variety of existing entry level Police Officer written examinations in an attempt to validate a test specifically for the Delaware Police Consortium, and to develop a recommended oral examination procedure."

In our judgment, these goals were met and documented in the project reports.

Ms. Christine Harker
May 15, 1978
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In the evaluation report (page 16), the evaluator states that "Program Area E-10 in the 1976 Comprehensive Plan contained two objectives. The first, 'to establish fair, consistent procedures for the recruitment, selection and promotion of Delaware police officers,' was only partially attained. The test validation study was only directed toward the selection phase of employment and did not address recruitment or promotion." Clearly, the objectives of the Test Validation Study did not include development of recruitment or promotion procedures.

We will not deal, in the scope of this letter, with each of the 18 points which fall under the above mentioned category of "factual inaccuracies, incomplete and misleading information, and misinterpretation of information," with respect to technical issues. We will be happy to discuss the specific points with Ms. Manasee or the Enforcement Committee. However, a general and significant point should be made. In accordance with professional standards for personnel selection research, an assessment of criterion-related validity of a given test centers principally on the relationship or correlation between performance on the test and performance on the job as demonstrated by a defined criterion of job success (in our study the criteria used were supervisory evaluation ratings). The statistical technique used to indicate the magnitude of this relationship is the Pearson correlation coefficient. This information was explained in detail in our report. The evaluator did not once reference this information in speaking to the question of test validity; but instead erroneously used a table (from page 29) of our report in attempting to evaluate the validity of the test. This table was presented for the purpose of discussion regarding possible cut-off scores for the test, and not to demonstrate validity of the test.

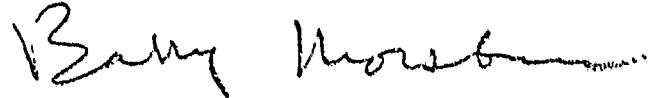
It should also be noted that while the evaluator felt that the "report prepared for criminal justice personnel would be more appropriately written in terms easily understood by its audience"; the final report was the result of many hours of review by and discussion with members of the Police Advisory Committee to the project. This eight member advisory committee was composed of police officers from all of the police agencies involved in the study.

We will not go into all of the inconsistencies and unsubstantiated statements in this letter. Yet, we do feel compelled to make note of a particular statement which appears as a conclusion in the report. While the evaluator states in at least four separate segments in the evaluation report that the test was shown to have validity, the conclusion drawn in Section IX ("Observations/Considerations/Concerns") is: "Even though it was said to have been statistically validated, the evaluator questioned whether the MPOE was in fact useful, job-related and criterion-related for Delaware police" (p. 19).

Ms. Christine Harker
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To reiterate, we will be more than happy to meet with Ms. Manasee and the Enforcement Committee to elaborate on the points presented above. Thank you for your attention in the matter.

Very sincerely,



Barry Morstain
Associate Professor



Linda Hsu
Acting Director, Delaware Public
Administration Institute

BRM/LH:sml

cc: Patrick MacQueen

END