



CITY OF DURHAM | NORTH CAROLINA

To: Thomas J. Bonfield, City Manager

Through: Theodore L. Voorhees, Deputy City Manager

From: Jose L. Lopez, Sr., Chief of Police 

Date: May 21, 2012

Subject: Authorization to Execute a Contract for a Total Amount Not to Exceed \$72,500 for Pre-Employment Psychological Testing of Police Sworn and Non-Sworn Applicants

Executive Summary

The Police Department regularly recruits new police officers and non-sworn employees, and requires the services of the Contractor to administer pre-employment psychological examinations to assist in assessing the suitability of applicants after conditional offers of employment.

Recommendations

That City Council authorize the City Manager to execute a three-year contract in the total amount of \$72,500 with Law Enforcement Services Group, PLLC, d/b/a The FMRT Group for police pre-employment psychological examinations (RFP: Police Pre-Employment Psychological Testing).

Background

An emotional stability and psychological fitness examination is conducted for all applicants for sworn positions and for regular, full-time non-sworn positions in the Durham Police Department. The examination is provided after the conditional offer of employment, which allows a broader spectrum of test instruments and inquiries into every area of applicant history, including medical and psychological issues not appropriate for discussion earlier in the process.

Testing is administered by a psychologist/psychiatrist contracted with the City, and consists of a number of psychological tests followed by a structured interview with the psychologist/psychiatrist, to measure psychological factors for police work and police-support work in a manner that is objective, job-related, nondiscriminatory, and validated for applicants for use in law enforcement agencies. The psychologist/psychiatrist will follow all legal guidelines, such as Americans with Disabilities Act (ADA), Health Insurance Portability and

Information Act (HIPAA), as well as comply with the accreditation standards outlined by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

Applicants can be disqualified based on the results of the psychological examination and verified through other means. Between ten and twenty percent (10-20%) of applicants are rejected in the post-conditional phase due to medical, psychological, or other issues.

Two firms responded to the Request for Proposals (RFP). The Proposal Evaluation Committee recommended Law Enforcement Services Group, d/b/a The FMRT Group for this contract because of their greater length and breadth of experience, larger staff, and extra services provided at no additional cost. These extra services include a pre-conditional test (BRAINS) that has been validated for police applicants and is used to detect inconsistencies in sworn applications and statements, and an online application that allows applicants to complete the NC Department of Justice application on line.

Issues/Analysis

Police departments that do not conduct thorough background investigations and post-conditional testing have hired officers with undetected medical or psychological issues that can cause problems ranging from turnover in cases of members who are not suited to law enforcement activities, to increased liability in cases where members act inappropriately. In these cases, there is adverse publicity, loss of citizen confidence, or potential legal ramifications. The Police Department has a high level of confidence in the background investigation process, including post-conditional psychological testing, and in the officers hired through that process.

Alternatives

The only real alternatives to contracting for psychological services would be to hire an internal psychologist or eliminate psychological testing. An internal psychologist, which the Department has utilized in the past, was considerably more expensive due to salary, benefits, office space, equipment, and other costs. Eliminating pre-employment psychological testing would increase liability to a considerable degree, and be a safety risk to both employees and citizens.

Financial Impact

The funding of \$24,167 per year, over three years, not to exceed a total of \$72,500, will be provided in the Department's general fund budget. This funding will affect three consecutive years beginning with FY2012-13.

SDBE Summary

The Equal Opportunity/Equity Assurance Department reviewed the proposal submitted by The FMRT Group of Winston-Salem, North Carolina and have determined that they are in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

SDBE REQUIREMENTS

No MSDBE or WSDBE goals were set.

WORKFORCE STATISTICS

Workforce statistics for The FMRT Group are as follows:

Total Workforce	22	
Total Females	14	(64%)
Total Males	8	(36%)
Black Males	0	(0%)
White Males	7	(32%)
Other Males	1	(4%)
Black Females	0	(0%)
White Females	14	(64%)
Other Females	0	(0%)