Prince George's County Police Department

Promotion System Recommendations

Siena Consulting

8/3/2022 Update

Overview

In compliance with a preliminary injunction ordered on April 21, 2021 in the case of Hispanic National Law Enforcement Association NCR v. Prince George's County (Civil Action No. TDC-18-3821), Siena Consulting was asked as an independent expert to review the components of the Prince George's County Police Department (PGPD) promotion system – including, but not limited to, the written tests, skills assessments, and the overall selection process - and to recommend changes to reduce or eliminate adverse impact and discrimination against Black and Hispanic officers. For this task, Siena Consulting reviewed the PGPD test process and associated materials for the following five ranks: Police Officer First Class (POFC), Corporal, Sergeant, Lieutenant, and Captain. This review included examining the test materials, interviewing the exam vendor, observing the training of assessors for the competitive ranks, analyzing the test scores and patterns of results across multiple years of administration, reviewing the existing job analysis report, reviewing existing documentation and deposition testimony on the current promotional process, and interviewing relevant parties responsible for promotion testing within the PGPD, as well as personnel impacted by, and knowledgeable of, the promotion process. Based on this review, Siena Consulting produced a set of reasonable recommendations for revising the PGPD promotion system that reflects modern and professionally sound practices[1] for creating valid and fair assessment of personnel that will help enable the organization to identify talented individuals for promotion while reducing adverse impact and discrimination against Black and Hispanic officers.

Subsequently, from September 2021 through July 2022, Siena was hired to develop and administer promotion systems that reflected these recommendations with the goal of implementing fair and valid promotion systems. With this project completed, the following updated recommendations seek to provide guidance to PGPD to enhance future promotional processes.

Recommendations

- **Make use of the 2022 testing list for a reasonably extended period.** Given that the currently implemented promotion processes demonstrated strong validity evidence, reduced adverse impact against protected groups, and enhanced fairness by instituting a secure process that reduced the impact of unequal access to preparatory courses/materials, we recommend extended use of the promotion lists (e.g., use through 2023 or longer depending on the number of promotions that occur).

- **Use a current thorough job analysis when developing future selection and promotion tests.** The recently conducted comprehensive job analysis should serve as a critical foundation for developing future valid, fair assessment processes. In line with best practice,

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[1] Equal Employment Opportunity Commission, Civil Service Commission, Department of Labor, & Department of Justice. (1978). Adoption by four agencies of Uniform Guidelines on Employee Selection Procedures. *Federal Register, 43*, 38290-38315. 32.
Principles for the Validation and Use of Personnel Selection Procedures (2018). Industrial and Organizational Psychology: Perspectives on Science and Practice, 11(Supl 1), 2–97. https://doi.org/10.1017/iop.2018.195

this job analysis should be refreshed/updated depending on how much time passes and the extent to which the jobs change.

- **Future tests should continue to shift from static formats that focus on memorization of knowledge to dynamic formats that place more emphasis on the use of that knowledge.** PGPD should maintain the elimination of a written test multiple choice format that targets rote memorization or simple recall of policy and procedure. They should continue to use other formats (e.g., video-based stimuli and response) that target application of knowledge and competencies/skills in a manner that reflects how such capabilities are used on the job. Shifting from written multiple-choice to a dynamic higher fidelity format is important because research demonstrates that traditional cognitive tests that use a written multiple-choice format do not predict job performance particularly well in police and public safety type jobs.[2] In addition, traditional written multiple-choice cognitive tests consistently produce racial differences that negatively impact Black and Hispanic candidates in comparison to White candidates.[3] Increasing the psychological fidelity of the test so that it more richly captures the job it is meant to reflect (which is not the case with a written multiple-choice format) increases the response fidelity from the candidates thus enhancing validity.[4]

- **Continue to implement the full assessment process for all candidates.** Maintain the elimination of a multi-step hurdle testing processes for knowledge and competency assessment. Continue to allow candidates to complete all phases of the process so they have the opportunity to demonstrate their complete set of capabilities for the target job. This approach will enhance the content coverage of the assessments so potentially effective all-around candidates are not disadvantaged early in the process based on a narrow set of criteria assessed at an early hurdle. If a hurdle is used, the early step(s) should target critical competencies, the cutoff should be set at the minimal required level for the target competency, and the testing methods used should be those that reduce contaminating factors that tend to result in adverse impact against protected groups.

- **Maintain the change to appropriate modern testing approaches for all competitive ranks.** PGPD should continue to use the more modern assessment center formats implemented in the 2022 promotional process for these key leadership positions (i.e., the competitive ranks) to maintain the enhanced validity and fairness of the process. In the comparison of assessment centers and more traditional tests (e.g., written multiple choice cognitive ability and job knowledge tests), it has been found in several meta-analyses that

[2] Hirsh, H. R., Northrop, L. C., & Schmidt, F. L. (1986). Validity generalization results for law enforcement occupations. Personnel Psychology, 39, 399-420.
Salgado, J. F., Anderson, N., Moscoso, S., Bertua, C., de Fruyt, F., & Rolland, J. P. (2003). A meta-analytic study of general mental ability validity for different occupations in the European community. Journal of Applied Psychology,88, 1068-1081.
[3] Hough, L., Oswald, F., & Ployhart, R. (2001). Determinants, detection and amelioration of adverse impact in personnel selection procedures: Issues, evidence and lessons learned. *International Journal of Selection and Assessment, 9*, 152–194.
[4] L Lievens, F. & DeSoete B (2012). Simulations. In N. Schmitt (Ed.). The Oxford Handbook of Personnel Assessment and Selection. Oxford Press.

general assessment centers have a higher validity than traditional testing when it comes to predicting job performance.[5] In addition, a study of police units also found that assessment centers had higher predictive validity for job and training performance outcomes for higher level positions than traditional cognitive ability focused assessments.[6] Assessment centers provide more interactive opportunities, which contributes to response fidelity that would not be seen on a typical traditional written test assessment.[7] The use of high-fidelity assessment centers allows for simulations of work that reflect the job and enable organizations to make predictions about a broader array of knowledge, skills, and abilities.[8]

- **Change to appropriate approaches for the non-competitive ranks.** PGPD should maintain the change to using a combination of factors such as time in grade and evaluation of performance to determine promotion for the non-competitive ranks (i.e., POFC, Corporal). PGPD should develop an objective system that assesses these factors in a valid and fair manner.

  While we considered several approaches for assessment regarding the non-competitive ranks, based on initial findings from the job analysis that indicates that the three ranks of PO, POFC, and Corporal substantially overlap and are not fundamentally different, we recommended using factors such as time in grade and evaluation of job performance instead of a traditional assessment process. In examining personnel demographics, it appears that most officers eventually attain the rank of Corporal as a matter of course by passing the previously used multiple-choice job knowledge assessment over time. As mentioned, the core nature of the job for these three ranks does not appear to be different when it comes to the tasks performed. Thus, the actual Corporal promotion pattern already resembles a "time in grade" process, with the likelihood of being promoted increasing as the officer accrues additional experience and tenure.

  A key consideration in making this recommendation is that because the preliminary job analysis data indicates the ranks are not fundamentally different, if a traditional screening process was retained, then any assessment put in place beyond time in grade and performance considerations would need to be used in an extremely limited manner to ensure absolutely no adverse impact (e.g., set a low cut score that determines if individuals have minimal competence but also ensures no adverse impact). Because of this required manner of use, we recommended instead using a system focused on officers gaining experience and demonstrating competence to become a POFC/Corporal such as time in grade and evaluation of performance, respectively.

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[5] Sackett, P. R., Lievens, F., Van Iddekinge, C. H., & Kuncel, N. R. (2017). Individual differences and their measurement: A review of 100 years of research. Journal of Applied Psychology, 102(3), 254–273. https://doi.org/10.1037/apl0000151

[6] Krause et al., 2006 Krause, D. E., Kersting, M., Heggestad, E. D., & Thornton, G. C., III. (2006). Incremental Validity of Assessment Center Ratings Over Cognitive Ability Tests: A Study at the Executive Management Level. International Journal of Selection and Assessment, 14(4), 360–371

[7] Lievens, F. & DeSoete B (2012). Simulations. In N. Schmitt (Ed.). The Oxford Handbook of Personnel Assessment and Selection. Oxford Press.

[8] Lievens, F. & DeSoete B (2012). Simulations. In N. Schmitt (Ed.). The Oxford Handbook of Personnel Assessment and Selection. Oxford Press.

Lastly, we noted that because PGPD may need a mechanism for differentiating Corporals for assignment opportunities as well as 'acting' Sergeant roles, we recommend that the assessment put in place to do this be developed in a manner that is both valid and fair. To this end, we recommended focusing on modern assessment processes that measure the competencies required to fill these roles while reducing adverse impact against protected groups (e.g., video-based and/or interactive assessments that measure targeted job relevant competencies for these roles rather than multiple-choice written exams that focus on rote memorization of rules and regulations). PGPD could also eventually consider creating a type of "Corporal First Class" rank that focuses on development into the leadership role that the next rank of Sergeant requires. The Corporal First Class rank would likely reflect the leadership role and direct assistant to the Sergeant that some Corporals currently play (e.g., Acting Sergeant, Lead Corporal, 9-CAR) as well as role assignments outside of traditional patrol that are viewed as positive career progressions. Establishing a Corporal First Class would formalize this role and individuals could be chosen for this rank using an objective assessment process that focuses on possession of the job relevant capabilities (e.g., KSAs/Competencies).

- **Use valid and fair scoring systems on assessments.** Design and implement assessment scoring procedures that include: (1) proper setting of cut scores, (2) appropriate transformation and combination of various exercise scores into a composite score, (3) proper weighting of competencies that does not overweight certain capabilities, (4) use of score units that are meaningful and acceptable based on modern test practices and align better with the underlying rating system (e.g., discontinue using multiple decimal points and use only one decimal point where needed and appropriate), and (5) examine alternatives to top-down selection that maximize validity and fairness in terms of diversity (e.g., banding). Note that many of these approaches were implemented in the 2022 promotional process and should be retained in future promotional processes.

- **Design scoring systems that focus on key behaviors.** Design scoring systems that shift away from micro-focused benchmarks to evaluate key behaviors that are job relevant and ensure better alignment of what is scored with the critical competencies derived from the job analysis. This type of scoring system was implemented in the 2022 promotional process and should be retained in future promotional processes.

- **Focus assessments on common core competencies of a given rank.** Continue to design the assessment process to measure the core competencies that are central to patrol while making sure they are relevant to specialty units when possible as was done in the 2022 promotional process. Do not allow unique specialty unit competencies to be the focus of the test.

- **Make proper use of assessors.** Ensure the assessors used in testing are diverse, are properly trained, are monitored to ensure reliability of ratings, are required to provide independent ratings, are randomly checked using additional raters assigned to a candidate, and are periodically rotated to reduce rater teaming effects. In addition, ensure assessors are experienced in the type of policing used in PGPD and do not have conflicts of interest from

connections to current and former PGPD or assessment vendor personnel. Lastly, explore the use of augmenting the team of assessors with professionally trained assessors.

- **Shift candidate response format.** Maintain the shift to using audio responses when appropriate versus a video format to reduce the chance of candidate demographics and other non-job relevant characteristics impacting scores. In addition, reduce the cognitive load, writing demands, and stress of the response format used in order to mitigate the impact of these non-job relevant testing factors.

- **Monitor the appeals process.** Examine the appeals process to ensure that validity of the exam is not compromised and that the process does not yield increased adverse impact against protected groups. No mechanism is currently in place to thoroughly examine the impact of the appeals process or regulate its functioning. It is recommended that for future testing such a mechanism is put in place.

- **Focus strongly on protecting exam security.** <u>Focus strongly on maintaining the security of the exam process</u>. One approach to accomplish this is to severely limit the use of internal SMEs for assessment design (e.g., rotate SMEs participating in assessment development, exclude SMEs who offer candidate preparation courses, do not let SMEs see the full exam) and instead leverage external SMEs (e.g., SMEs from outside PGC who have deep familiarity with police work and how it is properly completed in this type of county) as was done for the 2022 promotional process.

- **Address the test preparation problem.** Currently, the test preparation entities are having a strong negative impact on the promotion processes of the PGPD. This results in promotion processes of the PGPD being perceived as lacking integrity. It is critical that this issue is addressed by limiting knowledge of, and exposure to, the assessment processes. In addition, PGPD should implement a rigorous county-sponsored candidate preparation and orientation process that focuses on clarifying the assessment process and answering candidate questions while not "teaching to the test". In addition, PGPD should implement policies and practices that prevent candidates from having differential time to prepare for the test while on the job (e.g., make it a violation to study for the test while on duty). Also, implement policies that do not allow differential access to preparation courses/materials so that all interested candidates have access. Lastly, implement polices that discourage coordination and sharing information with test preparation vendors to better protect assessment content, exam process, and candidate scores (e.g., implement strong penalties for violations).

- **Implement diversity monitoring.** Implement monitoring of promotion processes and assignments with regard to diversity that is provided quarterly to the Chief and/or command staff.

- **Vendor selection and management.** Conduct a regularly re-occurring competitive rigorous RFP process to identify suitable testing vendors for future promotion exams. Prohibit test vendors from becoming "overly-entrenched" over time to prevent potential stagnation of test content and process, as well as to discourage and mitigate the formation of exclusive or

unfair vendor relationships with certain candidates, assessors, test preparation vendors, etc., as described above.

- **Resources to implement promotion processes.** Dedicate proper resources (e.g., finances, personnel) to the groups responsible for testing.

- **Adapt schedule and cycle of testing.** Explore changing the annual testing schedule to increase manageability of the processes (e.g., stagger testing schedule for certain ranks).

- **Implement training and development processes in a fair manner that fosters growth and career progression.** Build and implement development focused systems that foster growth and career progression across diverse personnel in PGPD. This should include creating developmental assignments that individuals have access to as well as implementing more advanced formal leadership training. Lastly, once the training and development function is enhanced, PGPD could consider for the ranks of POFC and Corporal implementing training and development modules that candidates need to complete in order to be promoted to these ranks. Note that the suggestion above regarding creating a Corporal First Class rank fits well with these suggested training and development initiatives. Most importantly, all these training and development initiative needs to be inclusive when it comes to diversity.