

A G R E E M E N T

THIS CONTRACT entered into between ARTHUR N. WIENS, Ph.D., 3181 S.W. Sam Jackson Park Road, Portland, Oregon 97201, a consulting psychologist hereinafter referred to as "Consultant", and the CITY OF PORTLAND, a municipal corporation of Oregon, hereinafter referred to as the "CITY",

W I T N E S S E T H :

The parties hereto agree as follows:

1. Consultant hereby accepts the terms of the proposal attached hereto, titled "CITY OF PORTLAND, POLICE OFFICER CANDIDATE PSYCHOLOGICAL EXAMINATION, PROPOSAL," which by this reference is made a part of this contract. Consultant agrees to provide psychological testing and clinical interviews of police officer candidates, as directed by the Civil Service Board of the City, and to provide the Civil Service Board of the City with his written diagnostic evaluation of each candidate within seven days after the testing and interview, all according to the provisions of the proposal. Evaluations will be transmitted in sealed envelopes.

2. The City agrees to pay Consultant \$275.00 for each police officer candidate tested, interviewed and evaluated at the direction of the Civil Service Board of the City.

3. Consultant agrees to hold the City, its officers and employees free and harmless and agrees to indemnify the City for any and all claims for injury to or death of persons or injury to property which may be occasioned by any services provided by Consultant under the terms of this contract. At all times while this contract is in effect, Consultant agrees to maintain professional liability insurance coverage with maximum limits not less than the limits of his professional liability insurance coverage in effect at the time this contract is executed. Consultant further agrees that the insurance shall not terminate or be cancelled before completion of this contract without 30 days prior written notice to the City Auditor.

4. The parties agree that no provision of this contract shall be construed to waive or supersede any statutory, charter or ordinance provision applicable to it.

5. The contract shall be effective July 1, 1980 and be in force and effect through June 30, 1981, subject to extension by mutual agreement of the parties.

IN WITNESS WHEREOF, this 19th day of June, 1980,
Consultant and the City have caused this contract to be executed in triplicate,
the Mayor and Auditor signing of behalf of the City pursuant to Ordinance No.

Arthur N. Wiens
Consultant

CITY OF PORTLAND

By _____
Mayor

By _____
Auditor

APPROVED AS TO FORM

City Attorney

1450

CITY OF PORTLAND
POLICE OFFICER CANDIDATE PSYCHOLOGICAL EXAMINATION
PROPOSAL

1. PURPOSE OF PSYCHOLOGICAL EVALUATION. The purpose of the psychological evaluation will be to identify those Police Officer Candidates who possess some dysfunctional psychological characteristic(s) which could adversely affect their ability to perform the duties and responsibilities of a Portland Police Officer. Persons so identified will be disqualified for employment as a Police Officer.

2. STRUCTURE OF EVALUATION PROCESS. It is expected that the evaluation process will consist of a number of psychological tests and a clinical interview. The Consulting Psychologist will have the primary responsibility for identifying: (1) the psychological constructs to be measured during the evaluation process, and (2) the test instruments to be used to measure these constructs. The staffs of the City of Portland Civil Service Board and the Bureau of Police will assist the Consultant in identifying job-related constructs. A comprehensive job analysis documented over 500 separate tasks, the frequency with which they are accomplished and their relative importance to successful job performance, it is expected that the psychological constructs can be identified from an assessment of the job analysis report. The Civil Service Board will have the final authority to approve the constructs which will be used in the evaluation process.

The Consultant will be expected to select and utilize only those test instruments which are professionally recognized to be empirically valid measures of the approved constructs; further, the Consultant will be expected to avoid using any test instrument which is known to be racially or sexually biased. With the approval of the Civil Service Board and the Bureau of Police, the Consultant may, for research purposes only, administer test instruments which are not empirically valid. However, until such time that empirically based predictive validity is established, the results of such tests will not, in any way, affect the Consultant's evaluation of a Candidate's psychological capability for Police work.

3. CONSULTANT'S EVALUATION. The Consultant will be expected to prepare a written diagnostic evaluation on each Police Officer Candidate together with a final recommendation for or against employment. It would be desirable to have the consultant categorize each Candidate into one of three classes, as follows:

POLICE OFFICER CANDIDATE PSYCHOLOGICAL EXAMINATION

PROPOSAL

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- 2. STRUCTURE OF EVALUATION PROCESS. It is expected that the evaluation process will consist of a number of psychological tests and a clinical interview. The Consulting Psychologist will have the primary responsibility for identifying: (1) the psychological constructs to be measured during the evaluation process, and (2) the test instruments to be used to measure these constructs. The staffs of the City of Portland Civil Service Board and the Bureau of Police will assist the Consultant in identifying job-related constructs. A comprehensive job analysis of the Police Officer position has been completed. Since this analysis documented over 500 separate tasks, the frequency with which they are accomplished and their relative importance to successful job performance, it is expected that the psychological constructs can be identified from an assessment of the job analysis report. The Civil Service Board will have the final authority to approve the constructs which will be used in the evaluation process.

The Consultant will be expected to select and utilize only those test instruments which are professionally recognized to be empirically valid measures of the approved constructs; further, the Consultant will be expected to avoid using any test instrument which is known to be racially or sexually biased. With the approval of the Civil Service Board and the Bureau of Police, the Consultant may, for research purposes only, administer test instruments which are not empirically valid. However, until such time that empirically based predictive validity is established, the results of such tests will not, in any way, affect the Consultant's evaluation of a Candidate's psychological capability for Police work.

- 3. CONSULTANT'S EVALUATION. The Consultant will be expected to prepare a written diagnostic evaluation on each Police Officer Candidate together with a final recommendation for or against employment. It would be desirable to have the consultant categorize each Candidate into one of three classes, as follows:

- a. Approved - Where test results and clinical interview indicate a Candidate has no dysfunctional psychological characteristic(s).
- b. Conditional - Where test results and clinical interview are inconclusive as to whether or not a Candidate has a dysfunctional psychological characteristic(s).
- c. Not Approved - Where test results and clinical interview clearly indicate a Candidate has a dysfunctional psychological characteristic.

If such a categorization is possible, it would be the City's intent to automatically disqualify all persons in the Not Approved category. Persons in the Conditional category would be the subject of an intensive Personal History/Background Investigation by the Portland Police Bureau. This investigation would be designed specifically to look for and document behavioral manifestations of any dysfunctional psychological characteristics which appeared during the psychological evaluation. These characteristics will be specifically identified in the consultant's diagnostic evaluation. If evidence were found of dysfunctional behavior, the Candidate would be disqualified for employment. If no such evidence were found and the person satisfied the other criteria against which Candidates are evaluated during the Personal History Investigation, the person would be considered eligible for final employment consideration. All approved candidates would be subjected to a more routine Personal History/Background Investigation. The Police Bureau's Background Investigators will not have access to the diagnostic evaluations. However, they will be informed of those psychological characteristics which the consultant has identified as being potential problem areas.

4. INDEPENDENT RESEARCH. The Consultant will not be permitted to utilize the Police Officer Candidates as subjects in any independent research projects without the express written consent of the Civil Service Board. The City of Portland will not be unreasonable in considering requests to conduct independent research and, indeed, will be very supportive of any research which has as its primary purpose the furtherance of knowledge in the field of Police Officer selection.
5. DATA CONTROL. All test results, records and other data obtained from the Police Officer Candidates as a result of their participation in the psychological evaluation process will be the property of the Civil Service Board. Although the Consultant may retain custodianship of such material, the Consultant will not be permitted to grant anyone access to this material without the express written consent of the Civil Service Board. The written diagnostic evaluations will be maintained by the Civil Service Board in a separate, restricted access file. The Civil Service Board will have the sole authority to grant access to the

evaluations and will do so only on a documented "need to know" basis. Initially, access will be limited to the Civil Service Board Personnel Analyst in charge of the Police Officer examination and the Commander of the Bureau of Police Personnel Division.

6. VALIDATION OF PSYCHOLOGICAL EVALUATION PROCESS. As soon as the job-related constructs and the test instruments have been identified and approved for implementation, the staff of the Civil Service Board and the Bureau of Police, together with the Consultant, will prepare a Construct Validation Report in accordance with the guidelines published by the Equal Employment Opportunity Commission. The Consultant will also work with the Civil Service and Police Bureau staffs in planning a criterion-related validation plan as a second generation effort in validating the psychological evaluation phase of the Police Officer examination.
7. SCHEDULING. The Consultant will be expected to process at least 100 Candidates per year. This number may vary depending on the pass/fail ratio experienced at the psychological evaluation phase and the staffing requirements of the Portland Police Bureau. It is understood that the number of Candidates processed may decrease substantially should a tax limitation measure be approved by the voters of the State of Oregon.
8. TESTING FACILITIES. If necessary, the facilities of the Civil Service Office may be made available to the Consultant for purposes of testing Candidates on a group or individual basis.
9. QUALIFICATIONS OF CONSULTANT. The consultant must have: (1) a minimum of a PhD in Psychology, preferably with a specialization in counseling, clinical or industrial psychology; (2) substantial experience in psychological testing; and (3) a license to practice in the State of Oregon. Experience in pre-employment psychological testing, preferably in the field of Police Officer selection, would be highly desirable.

Calendar No. 2477

ORDINANCE No. 149977

Title

An Ordinance authorizing the Mayor and Auditor to execute a contract between the City of Portland and Dr. Arthur N. Wiens, Ph.D., to perform pre-employment psychological examinations for Police Officer candidates, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed **JUL 3 1980**

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George Yerkovich*
Deputy

INTRODUCED BY
Mayor McCready

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration *[Signature]*

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:
Bureau of Personnel Services

Prepared By: *MKT* Date: 7/2/80
Mary K. Thackery

Budget Impact Review:
 Completed Not required

Bureau Head:
[Signature]
Jon D. Stephens

NOTED BY

City Attorney

City Auditor

City Engineer