# Tools to Increase Diversity and Validity in Hiring Police Officers - Part III

## Joel P. Wiesen, Ph.D.

In this third and last column of the series, I present additional tools to maintain or increase validity and increase diversity in hiring police officers, and give some guidance for their use. Then, I provide real-life and hypothetical examples of these tools in application, and comment briefly on some legal issues. The tools and commentary provided earlier are not repeated.

## Tool 14:
## Be Willing to Use Novel Tests or Methods

I present four lines of thinking to help overcome reluctance to use novel tests or methods. First, traditional approaches may run afoul of professional standards. The Standards for Educational and Psychological Testing (Standards) say, "However, if … excluding some components that could readily be assessed has a noticeable impact on selection rates for groups …(e.g., subgroup differences are … smaller on excluded components than on included components), the intended interpretation of test scores … would be rendered invalid." (AERA, APA, NCME, 2014, page 21, col 1, par 1, emphasis added). So, the Standards say fairness trumps validity.

Second, professional standards do not require the most valid selection procedure. The Standards say, "Where … validity exists, the decision as to whether to actually administer a particular test generally takes additional considerations into account. These include … weighing of any negative consequences against the positive consequences of test use." (AERA et al., 2014, page 11, col 1, par 2; also see page 21, col 2, par 4).

Third, the risk to overall validity is small when combining a newer test that has low validity with a more traditional test of higher validity. Take the meta-analysis value r=.24 for a traditional m/c test of g (see column 2 in previous newsletter) and the value r=.15 for a personality test, and assume the two tests are not correlated. As to standardized B-W mean score difference (d), assume d=1 and d=0, respectively. The validity of the sum of these two tests is above r=.24 for a wide range of test weights. Within that range, the d for the sum of the two tests drops sharply as more weight is given to the personality test, from 1.0 to 0.4 as

Figure 1. Validity of Sum and $d$ by Weight of Personality Variable
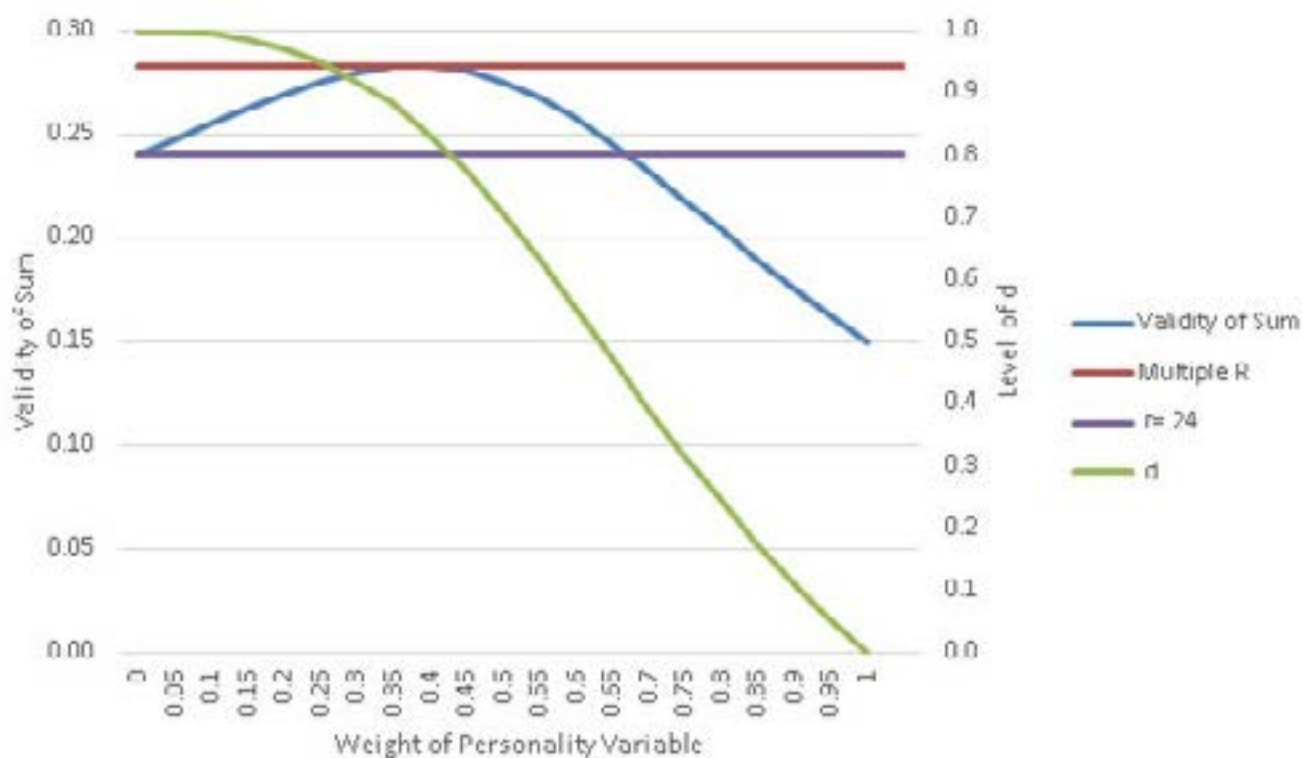
the weight increases from zero to .70. (See Figure 1. The horizontal lines show the multiple R of .28 and the r of .24. Read the d values using the scale on the right of Fig. 1.)[1]

Fourth, some studies suggest limits to the benefits of hiring the best. One recent study shows little difference in the overall effectiveness of [leadership] succession decisions (i.e., promotions to leadership positions, considered as a whole) in companies that explicitly try to hire high performers to fill future leadership roles and companies that do not, when the companies have strong leadership development programs (Bush, Skiba, Liu & Li, 2016, Fig 2). Training makes up for any loss in talent. Another study provided data summaries showing that 25% of mid-level leaders in seven multinational, private-sector companies are below average in g (Antonakis, House & Simonton, 2017, especially Fig 1). Perhaps of more relevance to promotional than entry exams, this study also found non-linear relationships between g and several leadership effectiveness measures. Such non-linear relationships have been noted occasionally in our field (e.g., Pierce & Aguinis, 2013). Such findings suggest caution in putting all the focus of our selection systems on high g.

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[1]Figure 1 is based on classic formulas for multiple R and for a weighted sum. See Guilford (1965) formulas 16.1 and 16.25, pages 394 and 427, respectively (also available at http://jpwphd.com/formulas). Also, the multiple R can be calculated for two uncorrelated predictors by simply adding the r2s and taking the square root of the sum. In this case .242 + .152 = .08. The square root of .08 = .28.

Figure 2. Validity of Sum by Weight of Personality Variable with Adverse Impact Ratio for Various Selection Ratios
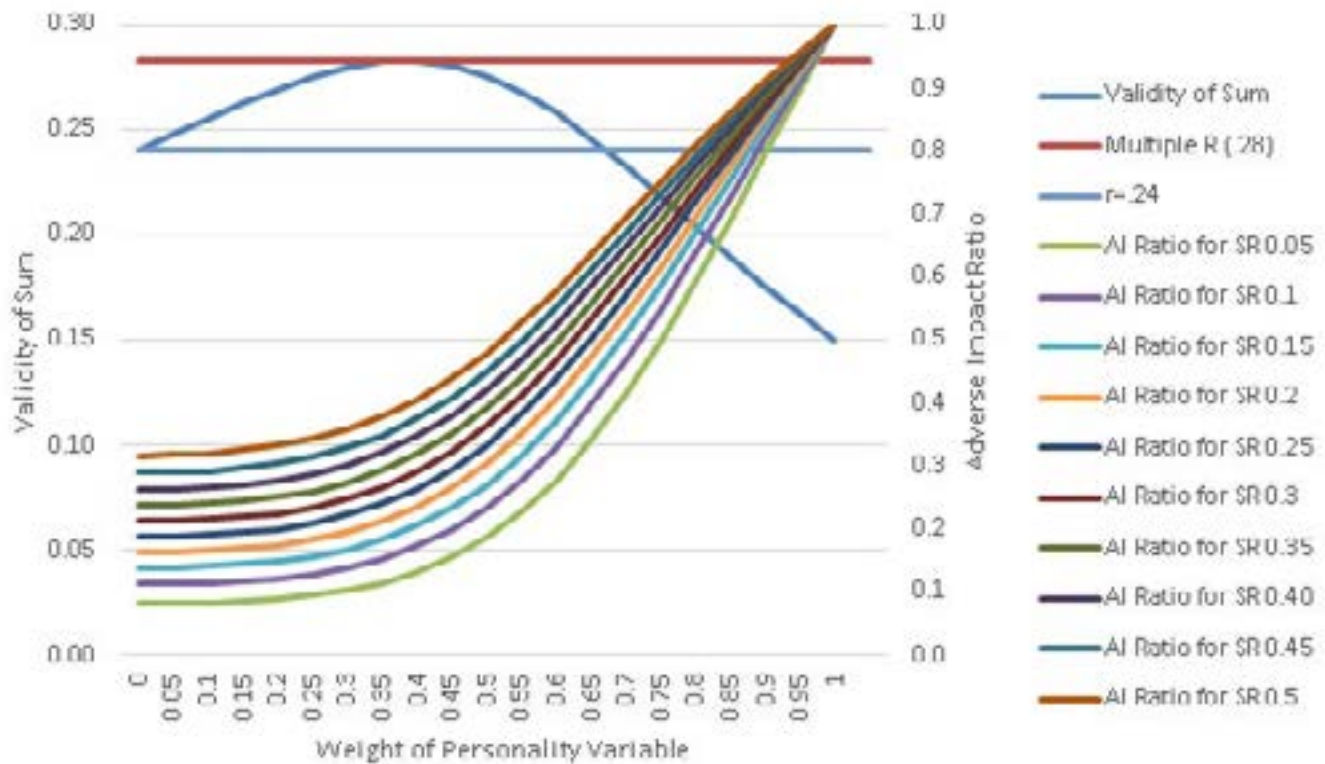
## Tool 15:
## Predict the Level of Adverse Impact

Our profession has the information and tools to predict the expected level of adverse impact given certain assumptions, importantly the number of applicants and openings. Adverse impact in hiring is a function of many factors, some not under our control, such as attrition due to background investigations and psychological screening. Yet we or others can make informed estimates of these. The estimates can be combined with past experience with tests, testing modes, and ability areas, to predict the level of adverse impact. Unfortunately, mathematical predictions of adverse impact are rare. Yet these predictions would empower management with crucial information needed to decide whether to use the selection system proposed. Sharing adverse impact predictions is consistent with the Standards as quoted in Tool 14 above and with Tool 4 from column 1. Management should not be blindsided by the level of adverse impact after an examination. One possible way to present some of this information to management is to develop a family of curves (Figure 2). This graph was generated in Excel. Typically, management does not request mathematical predictions of adverse impact. Nonetheless, we should provide such on our own initiative.

## Tool 16:
## Scour the Literature for Possible Novel Approaches

Often, new and promising innovations in testing are to be found in journals we do not always read; other times they are under our noses and classic. Here are a few such testing approaches. Some have demonstrated validity for employee selection and all have shown small d, or seem likely to have low d. There is a test of the ability to perceive emotions in faces. The authors state, "The Revised Eyes Test has improved the power to detect subtle individual differences in social sensitivity" (Baron-Cohen, Wheelwright, Hill, Raste & Plumb, 2001). The appropriateness of such a test for hiring police officers could be evaluated using job analysis. To the extent that this ability relates to personality, it is likely to have small d. Biodata validity is supported by meta-analysis (Schmidt & Hunter, 1998). Biodata has respectable and incremental validity in some situations (e.g., Cucina, Caputo, Thibodeaux & Maclane, 2012; Mount, Wit & Barrick, 2000), and is expected to have small d (Cascio & Aguinis, 2011, 183, par 3). This makes it a good candidate for use in selecting police officers. The validity of vocational interest is supported by meta-analysis (e.g., Van Iddekinge, Roth, Putka & Lanivich, 2011). To the extent that interest is related to personality, it is likely to have small d. The validity of integrity tests appears to be well established, and subgroup differences are close to zero (Berry, Sackett & Wiemann, 2007, e.g., Table 1, page 290). A European group developed a video-based situational judgment test for integrity for use with police officer job applicants. This test was valid and without sub-group differences (de Meijer, Born, van Zielst & van der Molen1, 2010). To the extent that police officers use creative thinking to come up with new solutions to problems, consider tests of creativity. There is published support for the general independence of creativity and g (e.g., Kim, 2005). There are at least a few published creativity tests that show small or no B-W differences (e.g., Epstein, Schmidt & Warfel, 2008; Kaufman, 2006, page 1066, par 2; Kaufman, 2010, abstract). If not suitable as published, these might serve a models for development of tests for police officer. Traditional M/C tests for police officer sometimes try to measure problem solving using M/C questions. However, these ask the test taker to identify a single solution from several choices, rather than to generate solutions to prolems. Recognizing a solution is not the same as thinking of a solution. Further, there are non-cognitive aspects of problem solving. For example, openness (a personality trait) and intelligence have equal correlations with quality of problem solving (Jauk, Benedek, Dunst & Neubauer, 2013, Table 1). Further, thinking biases may not only be independent of cognitive ability in general, but some thinking biases are stronger in more intelligent people, making for poorer decision making (Stanovich & West, 2008).

## Tool 17:
## Consider the Greatest Strength Method (GSM)

The GSM bases employee selection on each applicant's single greatest strength--the test with the highest z-score in a test battery--with job related passing points on all tests, and the GSM2 bases employee selection on each applicant's two greatest strengths. A few Monte Carlo simulations of hiring of firefighters confirm these approaches lead to the best combinations of low adverse impact, for gender and minority groups, and high validity. Validity levels

are maintained at levels typically reported for general mental ability tests. The results suggest the GSM and GSM2 are viable approaches for making selection decisions that minimize adverse impact and preserve validity in pre-employment testing (Wiesen & Aguinis, 2010; Wiesen, Aguinis & Batdelger, 2010; Wiesen & Brown, 2008). The high overall validity may reflect different possible paths to successful job performance.

## Tool 18:
## Use Residency Points to Increase Hiring of Residents of the Jurisdiction

Some jurisdictions have a majority of minority residents while the surrounding suburbs are largely white. Often the suburban school systems are far better funded, so having students compete on academic achievement may be seen as unfair. Providing absolute preference to residents, or even just granting an extra 10 or 15 points, will greatly increase the hiring of residents as it addresses the inequity in traditional cognitive ability test preparation.

**How to Craft a Selection Testing Program**
Choosing from among the tools described or other such tools, and combining them in a logical, practical, and psychometrically sound fashion, needs to be done carefully. Some off-the-shelf tools and tests exist. New tests can be developed if needed based on existing models.[2] This is best done by a testing professional, with hiring authority direction and guidance.

## Principles for Using Two or More Tools Together

These principles will help maximize selection process validity and minimize adverse impact on minorities:

1. Measure many different job-related abilities. Go beyond abilities measured by the traditional M/C entrance test.

2. Use the fairest way(s) to ensure applicants have the ability to learn and use the knowledge needed to perform the job. The traditional M/C test measures cognitive ability, but also tends to have the highest adverse impact. Structured oral interviews and video based testing generally show equal validity and less adverse impact than comparable traditional written tests. My use of the term fairness here is consistent with the call for a search for alternative selection procedures as stated in the federal Uniform Guidelines on Employee Selection Procedures (UGESP, Section 7.3 B), promulgated by the EEOC and other federal agencies (1978).

3. Set passing points for multiple tests of diverse abilities to ensure competence in all abilities. This will increase selection system validity over ranking based on a traditional M/C test. The adverse impact of any tests with B-W mean score differences will be lower when used on a pass-fail basis

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[2]In the interest of full disclosure, note that I am a test developer and have developed various tests for hiring of police officers and other jobs. More tests are in development.

than if used to rank candidates.

4. Rank applicants based on a combination of measures of job-related abilities that you expect will have minimal or no mean score B-W difference. Ranking, even in part, based on a traditional M/C test will tend to create severe adverse impact. Avoid ranking on any measures with high d. Rank on measures with low or zero d whenever possible.

5. Give the hiring authority a clear understanding of the likely outcome of using any proposed selection system. Municipal decision makers are not familiar with d as a measure of impact but often are concerned about new hire diversity. Predicting the number of hires from each subgroup will help decision makers determine acceptability using measures they understand.

6. It is important that the jurisdiction recruits high ability applicants, particularly from minority communities. Targeted recruitment is helpful. (For example, to find female applicants who can pass a physical ability test, recruit in college physical education programs or sports clubs.)

Using these tools will not guarantee complete lack of adverse impact in hiring, but will almost certainly increase the proportion of minorities hired.

## Examples of Using Two or More Tools Together

Below are five real-life and three hypothetical examples of the many possible combinations of tools to form a selection process. A thorough job analysis should help guide the hiring process design, so these may not be suitable everywhere.

**Real Life Example One: Bridgeport, CT**
Bridgeport has a history of facing employment discrimination court cases, many of which it has lost (e.g., Bridgeport Guardians, 1973). The goal for its 2014 Police Office entrance exam was to "Reduce disparity levels between protected classes while also increasing validity", but the approach offered by the City's consultant was to use a compensatory exam with cognitive and behavioral components. When asked by the minority police union to review the proposed exam process, I said it would have severe adverse impact. I suggested the consultant be asked to project the expected adverse impact in numeric terms. I suggested several changes to the proposed selection system, which were adopted: use the cognitive ability test in a pass/fail fashion, increase the number of extra points given to city residents, and rank candidates based on performance on an oral exam (Bridgeportct.gov, 2015). The Mayor of Bridgeport was exuberant in his praise for the hiring based on the new system, saying: "...61 percent are candidates in the protected class of minorities or women; 61 percent is a number we have never had before. ... Every one of us who lives in the City of Bridgeport has something at stake and we couldn't have been prouder of this process. This did not happen on its own; we made significant changes to the process" (Finch, 2015).

**Real Life Example Two: Oklahoma City, OK**
Some 30 years ago, after abandoning affirmative action hiring, two consecutive firefighter entrance exams resulted in the hiring of some 200 white and zero black firefighters, despite blacks comprising about 20% of applicants. The City and the Fire Department were extremely concerned. The black fraternal organization, which had recruited black applicants, was demoralized. In 1994, the

Fire Department used a selection system based on some of the tools described in this newsletter. This did not eliminate adverse impact but did result in hiring a diverse class of recruits with no legal challenges.

The system included:
- Pass-fail M/C cognitive ability test
- Pass-fail written work style test (a personality measure)
- Ranked oral exam (mostly non-cognitive)
- Pass-fail miniature training and evaluation (40 hour, First Responder course)
- Pass-fail background check
- Pass-fail physical ability test
- Pass-fail medical exam

The average training academy grade for these hires was similar to previous classes, and the dropout rate was a little lower than usual. The average quarterly recruit evaluation was high. All the new firefighters became certified EMTs after hire. This selection system was replicated in 1996 with similar results (Wiesen, 1996, 1997, 1998).

**Real Life Example Three: US Army**
A military screening program was developed that included temperament (self-report), cognitive (math and verbal subtests of the ASVAB), and physical fitness (e.g., BMI measures). The screening program was designed to reduce first-term

attrition of non-high school graduates in the US Army. Using the new measure to screen out 40% of applicants would reduce the attrition rate by 20% with no adverse impact on minorities. This screening program would not have adverse impact on minorities at any cut score, and would have no adverse impact on women at the more lenient cut scores (White, Young, Heggestad, Stark, Drasgow & Piskator, 2004, page 4, col 2, par 3).

**Real Life Example Four: NYC 2012 Firefighter Exam**
A NYC Fire Department entrance exam was developed by nine I-O psychologists, including experts hired by plaintiffs in a legal proceeding concerning an earlier entrance exam. The exam results were to be used for four years. After the exam was given and graded, it was projected to not have adverse impact for any of the four years the test would be used. The test development included many features that might have contributed to this lack of adverse impact, such as: a pass-fail screen on HS diploma or GED plus either 15 college semester credits, honorable discharge from the military, or 6 months paid work experience; cognitive and non-cognitive components; two somewhat non-traditional cognitive tests (a video-based trainability cognitive exercise, and a learning test on an operations manual); and providing a practice video exercise with minority candidates in the video (PSI Services, 2012).

**Real Life Example Five: Columbus, OH Police Officer Exam**
For at least the past several years, the City's police officer examination, developed in-house, has screened candidates using a M/C cognitive ability test, a writing exercise, and a physical fitness test, and ranked candidates based on a video-based test that measures problem solving and interpersonal relations. The video test presents still photos with verbal enactments of police scenarios, and candidates respond orally (Columbus Civil Service Commission, 2016). This approach has enabled the City to present a diverse candidate pool to the background investigation process. The City uses a similar approach in its firefighter examination.

**Hypothetical Example A. Qualify Based on High School Rank; Rank Based on Personality Measures**
In a jurisdiction drawing applicants from geographic areas with high schools that are essentially segregated and unequal in funding, consider using high school rank as a qualifier, in place of a traditional M/C exam, to ensure that selected candidates have adequate cognitive ability. Rank candidates based on one or more job-related personality characteristics that show minimal or no B-W differences, on average, such as measures of conscientiousness and prejudice.

**Hypothetical Example B. Qualify in Any of Several Ways; Rank Based on a Structured Oral Interview**
A police department might use a traditional M/C exam on a pass-fail basis and provide several alternate ways to qualify, such as based on high school rank, college degree, or honorable military discharge. The police department might go on to rank candidates based on a structured oral interview that measures a combination of job related ability or personality variables that tend to show minimal or no adverse impact, such as problem solving, interest, oral communication, and conscientiousness.

**Hypothetical Example C. Qualify in any of Several Ways; Rank Based on a Combination of Several Measures**
Allow applicants to qualify as in Example B. Rank applicants on a combination of written test scores, such as written (or computer-based) tests of several abil-

ities or personality characteristics that are job related and tend to show minimal or no adverse impact, such as conscientiousness and the ability to remember and identify faces.

## Brief Evaluation of the Legality of the Tools

Under Title VII of the Civil Rights Act of 1964 as interpreted in the federal UGESP, if a selection procedure does not adversely affect a protected group, there is no legal requirement to demonstrate that an employee selection procedure is valid. Several tools described in these three columns are expected to result in no adverse impact on protected groups, in which case proving their validity would not be required by the UGESP. Yet there may be some adverse impact in some hiring processes, in which case there is a risk of a legal challenge under Title VII which would trigger a need to demonstrate validity. Although both criterion-related and content approaches to test validation are recognized and recommended by the Standards, the federal UGESP gives more credence to predictive than content validation. Criterion-related validation studies for the job of police officer are relatively difficult to conduct and are therefore rare. So, often it is helpful to use a content validation approach. A recent decision of the US Supreme Court supports the use of content validity (in so far as the university's claim of educational benefits due to selecting a more diverse student body was accepted by the Court even though the claim was only supported by a "reasoned, principled explanation" and not by any empirical data; Fisher v Texas, 2016, page 3, par 2). Additionally, the tools are consistent with the mandate of the federal UGESP for employers to search for valid alternatives to traditional tests, specifically alternatives that have less adverse impact. In any case, the less severe the adverse impact, the less likely there will be a legal challenge to the hiring process. The tools suggested are intended to help avoid adverse impact and employment discrimination challenges while maintaining or improving the quality of applicants hired. If adverse impact does result, it will almost always be less severe than if only traditional tools were used. To that extent alone, defending these tools against a Title VII challenge may be relatively easy.

## Summary and Conclusion

It is a societal imperative to have more diverse police departments. The goal of identifying and describing the employee selection tools is to facilitate hiring a more diverse sworn force with basically equal or enhanced validity. The tools presented in this series build on these principles:

1. Use a variety of test(s) or tool(s) to ensure applicants have the required ability to learn and use new knowledge.
2. Measure more abilities than is possible using just a traditional M/C test.
3. Set passing points for all critical abilities to ensure competence in all abilities. This alone will increase validity over the use of a traditional M/C test by itself.
4. Rank applicants based on their performance on essential job related abilities that have the lowest adverse impact. (Ranking based, even in part, on the traditional M/C test will almost always result in severe adverse impact.)

Designing an employee selection system is best done by a qualified testing expert (such as an industrial psychologist). Some testing consultants will be excited about using the tools described to design an operational selection system. Others will be unwilling to use any of these new approaches, feeling more comfortable using traditional, well-known approaches. Unless we deviate from traditional approaches, we should expect to continue to be stymied in hiring a diverse workforce. Police administrators may need to require that their testing consultants consider less traditional selection tools, as described above.

Use of tools such as described above will help police departments to hire an able, diverse, sworn workforce. Some of these tools are not yet available off-the-shelf, but their implementation is feasible with some advance planning.

These columns were meant to enable and empower practitioners to recommend professionally acceptable ways to increase hiring diversity. By professionally acceptable, I mean maintaining or improving expected job performance without creating avoidable adverse impact. I suggested that g is not the only - and not even a good - predictor of job performance as a police officer. The modest meta-analytic r of .24 for police officer job performance alone should encourage us to search out other predictors, and I have done some of that, identifying KSAPs as diverse as prejudice and memory for faces, all of which are poorly measured by traditional tests of g, if measured at all. I suggested that we provide our clients with the numeric estimates of adverse impact and let the clients make any necessary decisions concerning tradeoffs between validity and adverse impact.

Finally, I provided examples of protective service selection systems that avoided adverse impact through using some of the 18 tools I described. We have come a long way since 1984 when Hunter and Hunter wrote:

> *"Using other predictors in conjunction with ability tests might improve validity and reduce adverse impact, but there is as yet no data base for studying this possibility" (Hunter and Hunter, 1984, page 72).*

Now the data are available; it is up to us to use the data creatively and wisely.

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[2]In the interest of full disclosure, note that I am a test developer and have developed various tests for hiring of police officers and other jobs. More tests are in development.

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