

10.29.9.12 PSYCHOLOGICAL EXAMINATION

A. Procedure

(1) Prior to admission to training and/or certification as a law enforcement officer in the state of New Mexico, it shall be necessary for each applicant to be examined by a licensed/certified psychologist who shall certify to the individual's emotional and mental condition on a form prescribed by the director and entitled "Mental Examination Certification".

(2) Private firms who administer psychological examinations for law enforcement officers shall be acceptable if, however, a qualified representative as stated in Subsection A(1) of 10.29.9.12. NMAC completes the appropriate form as prescribed by the director.

(3) The applicant shall also prepare and submit a form prescribed by the director and entitled "Psychological Statement of Applicant".

(4) False or incorrect statements in either form are grounds for revocation of any certificate granted.

(5) Evaluations cannot be more than one year old for admission/certification purposes.

(6) The psychological evaluation/written report will be required to be attached to the LEA-4 form. The written evaluation shall be returned to the department head at the time of certification and shall not be maintained in student training files.

(7) The applicant shall not hold the privilege of obtaining the evaluation; evaluations are the property of the referring agency and shall be held in the strictest of confidence. A self-sponsored applicant may hold the privilege of obtaining the evaluation however, the original report must still be sent directly to the academy upon completion by the psychologist.

(8) If any information concerning psychological screening/evaluation provided to the director or the person evaluating the applicant's suitability is found to be false or not truthful, the applicant will be either refused enrollment or if certified, decertified in accordance with 10.29.1.10 NMAC through 10.29.1.17 NMAC.

(9) Applicant failure of psychological examination must be reported to the New Mexico law enforcement academy within 30 days.

B. Screening Process

(1) Purpose: The intent of these guidelines is to set minimally acceptable standards for pre-employment psychological testing of persons seeking certification as peace officers in New Mexico.

(2) Examiner Standard: Pre-employment psychological testing shall be conducted by a licensed/certified psychologist. In the event the psychologist does not have appropriate training in this area, he/she should seek supervision as per the guidelines of the American psychological association ethical standards and code of conduct.

(3) Overview of Process: At a minimum, the pre-employment psychological testing process shall consist of the following:

- (a) psychological testing
- (b) face-to-face interview
- (c) written narrative report
- (d) completed New Mexico LEA-4 form
- (e) informed consent/release of information form

(4) Psychological Testing: The pre-employment psychological testing shall include, at a minimum, testing across the following areas:

- (a) a measure of reading ability such as the WRAT, the Nelson-Denny Reading Test, or other comprehensive measure which yields a grade-level score.
- (b) a measure of psychopathology, such as the MMPI-2, the PAI or the Millon-3.
- (c) a measure of normal personality functioning, such as the 16PF, the LEADER or the Inwald Personality Inventory.

(5) Interview: The interview shall be conducted in person by the licensed/certified psychologist in a face-to-face setting with the candidate. At a minimum, the interview will cover the following areas:

- (a) a brief mental status exam.
- (b) gather or review a social history, to include relevant information regarding early development, schooling, military service, job history and potential problems issues, such as drug and alcohol use, driving, fighting, domestic violence, and past critical life events.

(c) explore areas of judgment and reliability, such as impulse control, communication, appropriate use of force, social skills, common sense, and credit history.

(d) any other aspects of personal development (i.e. medical history) that the examiner deems important.

(6) Written Report: The report shall incorporate all information gathered in the interview and testing. Any clinically significant elevations in test scores shall be discussed and their impact upon job performance explored. The examiner should address the ability of the candidate to perform the essential job functions, some of which may be unique to the sponsoring agency. If the candidate is not recommended, the report should enumerate which essential job functions he/she is incapable of performing.

(7) All psychologists performing pre-employment testing must conform to the guidelines of the American psychological association regarding storage of records.

C. Appeal Process

(1) In the event an applicant receives a rejection, the applicant or agency (within 30 days of signature date) may request that the rejection be reviewed. This request (submitted to the New Mexico law enforcement academy director) must be in writing and state the reason that an appeal is warranted.

(a) Reviewing authority will be a New Mexico licensed psychologist(s) designated by the director.

(b) Results of this review will be communicated in writing to the New Mexico law enforcement academy.

(2) If the reviewer concurs with the rejection, the applicant will be eligible to reapply to a New Mexico law enforcement agency twelve months from the signature date of the original evaluation.

(3) If, in the judgment of the reviewer, a second psychological opinion is warranted:

(a) The second opinion will be rendered by a New Mexico licensed psychologist chosen by the New Mexico law enforcement academy director or his/her designee.

(b) Psychologist will review all test data and other information that was available to the initial psychologist (i.e., background investigation and polygraph results).

(c) The second evaluation, at minimum, will follow the guidelines for pre-employment evaluations as outlined by the New Mexico law enforcement academy. The psychologist may review the original test data and will use, at a minimum, one additional testing instrument for the second evaluation.

(d) Psychologist may request other information from the applicant, the agency, or the New Mexico law enforcement academy prior to conducting the evaluation.

(e) The cost of this evaluation will be borne by the agency or the applicant.

(f) If the results of the second evaluation are negative, the applicant may reapply to a New Mexico law enforcement agency twelve months from the signature date of the second opinion.

(g) If the results of the second evaluation are positive, the applicant's name will be removed from the list of failed applicants.

[12-4-83...12-15-93; 10.29.9.12 NMAC – Rn & A, 10 NMAC 29.9.12, 4/30/01]