

HONOLULU POLICE DEPARTMENT

POLICY HUMAN RESOURCES AND TRAINING

July 6, 2018

Policy Number 3.13

PSYCHOLOGICAL EVALUATIONS

POLICY

A psychological evaluation may be required to identify any psychological trait, factor, or condition which may interfere significantly with an employee's ability to carry out duties in accordance with departmental rules, regulations, directives, or traditions.

PROCEDURE

I. OBJECTIVES OF AN EVALUATION

- A. To reduce the likelihood of an employee engaging in behavior harmful to self or others.
- B. To provide information about an employee's emotional or mental health when there exists a question, due to behavioral abnormalities, about the person's ability to represent the department or when mental disability is reasonably suspected.
- C. To help determine an employee's suitability for carrying and using firearms or other weapons or operating a departmental vehicle.

II. USE OF EVALUATIONS

Psychological reports are to be kept confidential and used only by personnel authorized by the Chief of Police. They are only advisory and shall not be the sole basis for administrative decisions. They are intended to provide a guideline:

- A. As to the employee's ability to carry out duties due to psychological factors;
- B. About the advisability of recommended psychological intervention for an employee whose performance places the operation of the department at risk; and/or

- C. In administrative proceedings, about the advisability of mandatory psychological interventions, including individual counseling, family violence or substance abuse treatment, anger management, or comprehensive tactical intervention.

III. REFERRAL FOR PSYCHOLOGICAL EVALUATION

The Chief of Police can authorize a mandatory evaluation based on a request from the Administrative Review Board as part of an administrative action or from the employee's element commander.

A. Referral by the Administrative Review Board

The Administrative Review Board may request a psychological evaluation as part of an administrative action for an employee showing behavioral signs of distress or impairment or when mental instability is reasonably suspected. The signs should indicate that the behavior of the employee:

1. Poses a threat to self or others;
2. Produces a significant, negative impact on the employee's ability to perform; and/or
3. Produces a significant, negative impact on the operations of the element.

B. Referral by Commander

1. If an employee has a series of problematic behaviors (e.g., have occurred numerous times over a period of time, have increased in nature/severity, or occur in multiple areas of their job performance) that lead the element commander to conclude that intervention is necessary, the commander should complete the HPD's Employee Early Recognition System (EERS). Refer to Policy 3.12, EMPLOYEE EARLY RECOGNITION SYSTEM, for guidance with the completion of the employee behavior review. The EERS should include examples of the employee's problematic behaviors before submitting a request for the psychological evaluation.

2. The commander may request a psychological evaluation for an employee who shows behavioral signs of distress or impairment or when mental instability is reasonably suspected. The signs should indicate that the behavior of the employee:
 - a. Poses a threat to self or others;
 - b. Produces a significant, negative impact on the employee's ability to perform; and/or
 - c. Produces a significant, negative impact on the operations of the element.
3. Incidents of questionable behavior, as well as counseling and/or disciplinary measures (including the completed EERS report), must be documented in the commander's referral request to the Chief of Police (see the attachment for formatting).

IV. THE POLICE PSYCHOLOGIST

- A. The police psychologist must be consulted to ensure that the behavioral problems are likely to stem from serious psychological distress, crisis, or disorder. Disciplinary problems, supervisor-subordinate conflict, management problems, and minor character problems do not justify mandated psychological intervention.
- B. The police psychologist shall review the request that is submitted by the Chief's Office and assess the behavioral signs in a discussion with the employee. The police psychologist will determine if the signs are:
 1. Indicative of risk or harm to self or others; and/or
 2. Leading to the employee's inability to perform; and
 3. Stemming from psychological problems or mental disorder rather than being context-related.
- C. The police psychologist's findings will be summarized and a recommendation given in a report submitted to the Chief of Police.

- D. The police psychologist shall provide element commanders with an annual review of the process for mandatory psychological evaluations.

V. SCHEDULING OF EVALUATIONS

- A. If the Chief approves the psychological evaluation, the employee will be served an order from the Chief to undergo an evaluation. Failure to report for the evaluation will lead to disciplinary action.
- B. The employee's element commander shall inform the employee about the reason or reasons for referral. The employee's immediate supervisor serving the order will treat the information about the evaluation as confidential.
- C. Appointments for mandatory psychological evaluations shall be coordinated through the department's police psychologist. A referred employee shall meet with the police psychologist to discuss the advisability of the evaluation and the evaluation procedures and his or her specific rights.
- D. The evaluator will be a qualified, Hawaii-licensed clinical psychologist, preferably with experience in police issues, on contract with the department. Additionally, the fee will be charged to the department.
- E. The employee evaluated shall incur no expenses for the evaluation and shall be reimbursed for all personal costs directly associated with the evaluation in accordance with departmental reimbursement guidelines.
- F. An evaluation normally requires about six hours of appointment time. However, more time may be required thus necessitating additional appointments.

VI. STRUCTURE OF EVALUATIONS

- A. Other individuals, such as legal counsel, may not be present during the evaluation without the express permission of the evaluator.

- B. The employee will be asked to sign a consent form advising him or her about the purpose of the evaluation and limits of confidentiality. The evaluated employee shall be clearly advised by the evaluator that the evaluation is the property of the referring authority, the Chief of Police, and that confidentiality does not exist in the context of the employee's relationship with the evaluator.
- C. If the employee being evaluated is not reasonably cooperative, it will be reported to the referral source and shall be treated as failure to obey a lawful order.
- D. The evaluator will promote an effective evaluation by using multiple data sources, including a thorough/structured psychiatric interview, with verbatim notes and behavioral observations, standardized psychological tests, interviews with relatives and/or supervisors, as advisable, and police records, including previous evaluations and investigators' reports.
- E. The evaluator may be provided with specific questions to be answered by the psychological report. These questions will be composed by the police psychologist on the basis of the referral request.
- F. An employee directed to undergo a mandatory evaluation may request a copy of the list of referral questions and arrange for an evaluation from another source, paid for by the employee. This does not relieve the employee from the duty of undergoing the mandatory evaluation ordered by the department.


VII. REPORTS AND RETENTION

- A. The evaluator's report shall be directed to the police psychologist.
- B. The evaluated employee will be notified by the police psychologist when the report is received. The police psychologist will provide feedback to the employee upon request.
- C. The police psychologist will review and summarize the report with final recommendations in a confidential memorandum to the Chief of Police.

- D. A copy of the evaluation report will not be released without written approval of the Chief of Police.
- E. The psychological evaluation record will be kept in a locked file for a period of seven years after the last data entry. After that time, the report will be destroyed unless there is litigation involved.

VIII. APPEAL AND REEVALUATION

- A. The evaluated employee may forward to the police psychologist a copy of an evaluation obtained from other sources that answers the original questions provided to the departmental evaluator.
- B. In situations where the validity of the fitness-for-duty evaluation is determined by the police psychologist to be questionable or insufficient, another evaluation can be scheduled at no cost to the employee.
- C. If the objectivity of the evaluating psychologist or police psychologist is questioned, or if a conflict of interest is apparent, a reevaluation by a psychologist not connected with the department will be recommended at no cost to the employee.
- D. After completion of therapeutic intervention, the employee may have another departmentally funded posttreatment evaluation to determine their fitness for duty.


FOR SUSAN BALLARD
Chief of Police

Attachment

Post on bulletin
board for one week

Policy first issued
October 4, 1995

FORMAT FOR PSYCHOLOGICAL EVALUATION REQUEST

TO: _____, CHIEF OF POLICE
VIA: _____, DEPUTY CHIEF OF POLICE
_____, [Requesting element's assistant chief]
FROM: [Commander's name, element]
SUBJECT: REQUEST FOR PSYCHOLOGICAL EVALUATION OF [person's name]

In order to ensure safe and competent police service to the community, as well as the welfare of the employee named, I am requesting a psychological evaluation.

SYNOPSIS OF QUESTIONED BEHAVIOR: [Insert detailed synopsis]

DOCUMENTED INCIDENTS OF INAPPROPRIATE BEHAVIOR: [Insert details of incidents]

DOCUMENTED COUNSELING AND DISCIPLINARY MEASURES FROM THE EMPLOYEE'S SUPERVISORS: [Insert detailed synopsis. Did employee show any improvement after counseling by supervisors? Was the employee encouraged to seek confidential help from the police counselor (HSU), the police psychologist, a chaplain, or the City and County of Honolulu's Employee Assistance Program? Include a copy of the EERS Report.]

SUMMARY OF MY CONFERENCE WITH THE EMPLOYEE: [Insert detailed synopsis]

I have advised the employee to seek help voluntarily from the sources provided by the department.

I have conferred with the police psychologist on the advisability of requesting this evaluation.

Date Signature Element