



The Institute for Forensic Psychology

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Comments and Suggestions on HB70

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Implicit Bias

At the moment there are no valid and reliable tests to assess implicit bias per se, although research is ongoing.

The primary, applicant-assessment instrument I use contains rudimentary sex and race bias scales, and, in general, there is no significant difference in overall responses between men and women and various racial and ethnic groups.

With regard to bias, I suggest that behavior is the best indication of this. Careful examination of background information, history, and social media posts will likely be the best reflection of bias.

Page 10, section E, line 25

Annual psychological assessment of active duty officers and deputies

Applicant psychological assessments have been required for police officers and sheriff's deputies since 1999; correction officers since 2000. There are solid databases with which to compare applicants to both successful and unsuccessful officers/deputies.

There is NO normative database extant that can be used to compare active-duty officers or deputies at this time. Such a database is in development but is several years from implementation. There is thus no valid and reliable (or ethical) way to measure the psychological functioning of active duty officers; no qualified police psychologist will use applicant test instruments for this purpose because it is a misuse of the applicant normative database.

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In the case of an officer/deputy who exhibits behavioral issues, we have the readily available (and appropriate) option to refer for a psychological fitness for duty exam. I suggest in-service training be offered to supervisors, by a qualified police psychologist, to improve the understanding of when a fitness for duty examination is and is not appropriate (perhaps sponsored by the Maryland Chiefs and Sheriffs Association).

Legal and ethical problems arise with a periodic re-assessment of active duty officers/deputies, such as violations of the Americans With Disabilities Act, financial responsibility questions, and union issues.

Instead of an annual psychological assessment for all officers/deputies, I suggest something that is rolling out across the country, with good results: a *mandatory*, annual, *resiliency* session, during which an officer is free to discuss any issues that might be on their mind, with complete confidentiality (barring any potential for harm). The only information shared with the agency about the meeting is the date and time of the meeting and whether or not the officer/deputy attended.

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Marijuana use

The regulation regarding marijuana use was changed several years ago to eliminate any limit on the total number of times used, while retaining a time frame of no uses within the 3 years prior to an application to become a police officer, sheriff's deputy, or corrections officer. Although attitudes toward the use of marijuana have changed, research studies are equivocal about the long-term effects of marijuana use and its effects on motivation, reliability, judgment, and impulse control. If our intent is to improve the quality of police officers, sheriff's deputies, and corrections officers coming on line, especially with regard to making critical decisions quickly and fairly, I respectfully suggest that permitting unlimited uses of marijuana up to and including when applying for a position in law enforcement defeats this purpose. Another question that arises - will it be acceptable for a credentialed law enforcement officer to use marijuana once they are hired? In addition, the use of marijuana remains against federal law.

Thank you for permitting me to share my thoughts on this important legislation.



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