

# Chapter 139-07 WAC

## CONDITIONS OF EMPLOYMENT

### WAC

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**WAC 139-07-010 Psychological examination.** (1) As a condition of employment for any applicant who has been offered a conditional offer of employment as a fully commissioned peace officer or a reserve officer, including any person whose certification has lapsed as a result of a break of more than twenty-four consecutive months in the officer's service as a fully commissioned peace officer or reserve officer, the applicant shall successfully pass a psychological examination as administered by the county, city, or state law enforcement agency that complies with the requirements of this chapter.

(2) The psychological examination shall be administered by a "qualified professional," which means a psychiatrist licensed in the state of Washington pursuant to chapter 18.71 RCW or a psychologist licensed in the state of Washington pursuant to chapter 18.83 RCW.

(a) The qualified professionals who administer the examinations should be trained and experienced in psychological testing, test interpretation, psychological assessment techniques and the administration of psychological examinations specific to peace officer applicants of law enforcement agencies.

(b) The examination should be based upon attributes considered most important for effective performance as a peace officer as obtained from a job analysis and data provided by the law enforcement agency making the conditional offer of employment. The data may include interviews, surveys or other appropriate sources where job performance information was obtained.

(c) Psychological examination reports older than six months shall not be considered valid for the purpose of RCW 43.101.080(19) and 43.101.095(2).

(d) The examination report, including all testing materials and documentation used to complete the examination report, should be maintained in a manner consistent with applicable confidentiality, records retention and public disclosure laws and rules.

[Statutory Authority: RCW 43.101.080. 10-07-037, § 139-07-010, filed 3/10/10, effective 4/10/10.]

**WAC 139-07-020 Psychological examination requirements.** (1) Through the examination, the qualified professional shall determine the psychological suitability of the peace officer applicant by an assessment of whether he or she is free from job-relevant mental and emotional impairments including, but not limited to, psychopathology, personality disorders and inappropriate behavior patterns.

(2) The sole purpose of the psychological examination under this chapter is compliance with RCW 43.101.080(19)

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and 43.101.095 (2)(a) and shall not be used for any other purpose by the law enforcement agency or any party.

(3) Prior to the administration of the examination, the applicant must sign an informed consent to the conditions of the evaluation. The informed consent should clearly state the law enforcement agency is the client so that the applicant is informed that the entire examination would be shared with the agency.

(4) The examination shall include the following:

(a) A minimum of two written psychological tests:

(i) The tests should be objective, job-related psychological instruments validated for use in evaluating law enforcement officers. For the purpose of this section, a validated test is defined as a test that has a substantial research base for interpretation with normal range populations in general and public safety applications in particular;

(ii) If mail-order, internet-based, or computerized tests are employed, the examiner should verify and interpret individual results;

(b) A comprehensive, face-to-face, clinical interview with the applicant conducted after a complete review of the psychological test results;

(c) An interpretation of the psychological test results by the qualified professional;

(d) An opinion on psychological suitability by the qualified professional; and

(e) A list and summary of the information relied upon for the assessment.

[Statutory Authority: RCW 43.101.080. 10-07-037, § 139-07-020, filed 3/10/10, effective 4/10/10.]

**WAC 139-07-030 Report of psychological examination—Requirements.** (1) Findings of the psychological examination shall be reported in writing to the law enforcement agency requesting the examination.

(2) The written report shall include the following:

(a) The date of completion and a signature of the qualified professional who conducted the examination;

(b) Name and date of birth of applicant, position applied for, and agency which made the conditional offer of employment;

(c) A list and summary of the information relied upon for the assessment;

(d) All the components of the examination, as defined in this chapter;

(e) Factors which could affect the reliability and validity of the assessment; and

(f) An assessment of the psychological suitability of the applicant to be a peace officer or reserve officer for the particular law enforcement agency.

[Statutory Authority: RCW 43.101.080. 10-07-037, § 139-07-030, filed 3/10/10, effective 4/10/10.]

**WAC 139-07-040 Report of psychological examination—Use by more than one agency.** (1) A peace officer applicant may be offered employment by more than one law enforcement agency that is conditional on the results of a psychological examination.

(2) The peace officer applicant may be required to pay all or a portion of the cost of the examination under RCW 43.101.080(19) and 43.101.095(2).

(3) One psychological examination may be shared with more than one law enforcement agency under the following circumstances:

(a) The agency which initiated the psychological examination and the qualified professional conducting the examination agreed to share the psychological examination report and recommendations with the other law enforcement agency;

(b) The applicant signed a release permitting the other agency to have the psychological examination report;

(c) The psychological examination was completed within six months of the request by the other law enforcement agency; and

(d) The job analyses of the initiating and other law enforcement agencies must be substantially similar.

[Statutory Authority: RCW 43.101.080. 10-07-037, § 139-07-040, filed 3/10/10, effective 4/10/10.]