

Commission on Correctional Facilities and Services

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SCREENING FOR EMOTIONAL AND PSYCHOLOGICAL FITNESS
IN CORRECTIONAL OFFICER HIRING

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I. Introduction

Although there is no agreement regarding the proper and possible roles of correctional institutions, there is a consensus that the line correctional officer occupies one of the most sensitive and perhaps the most difficult job. Whether rehabilitation or mere incapacitation is seen as the main function of these facilities, the line officer is in the spotlight. Since it is he who has the most direct and continuous contact with the inmate; it will be his ability to relate effectively which will in great part determine any change in the personality or attitude of the inmate.

A variety of factors influence the recruitment and selection of correctional line officers, including facility location and alternative employment in the area, pay rates, civil service requirements, etc. The criteria and process for selecting employees from the pool of applicants formed by the interplay of these forces should reflect the sensitivity of the line officer's role.

It should be evident that we must select institutional personnel with regard to their ability to relate to inmates without hostility, without emotional dependence and untoward involvement and with a perceptiveness as to inmates' motivations and needs. We also wish to select men who can serve as models for imitative behavior and who generally possess emotional maturity and stability.^{1/}

It has long been apparent that the objective importance of the line officer job has not been paralleled in the personnel selection process. For example, in 1946 it was noted:

Methods of selection of the Prison Guard are generally loose and include little experimental study of validity. Of the some 13,000 guards in this country, it is safe to say that over three-fourths have been selected by unscientific methods.^{2/}

At the same time, one report found that only Michigan and New Jersey used a standardized mental test as part of their selection process.^{3/} In the ensuing years, apparently little has been done to change the selection process. The Joint Commission on Correctional Manpower and Training succinctly reported its findings thusly in 1969: "Recruitment of correctional personnel is ordinarily carried out in an uncoordinated and haphazard manner."^{4/}

As a result of the Joint Commission's work, there is available a reasonable data base on the line officer cadre as of 1967. Here are some highlights:

- 49% of the 75,000 employees in federal and state institutions were line workers (correctional officers).
- 95% of line workers were white males.
- Line workers were the least satisfied correctional employees, with pay scales a major reason for this feeling: 36% earned less than \$6,000 a year; 43% earned from \$6,000 to \$8,000 per year.
- 52% of line workers are high school graduates, but 16% have less than this level of education.
- 14% of line workers received in-service training.

Less is known about the personnel recruitment and screening mechanisms used in the correctional officer selection process. These considerations, and continuing allegations of guard brutality, argue for the initiation of research to identify the personal qualities which make for successful guard personnel, or at least for the development of means to eliminate potentially dangerous line officers (a perhaps more manageable task). The existing literature on recruitment problems discusses such matters as the limited pool of applicants, the need for more effective recruitment techniques (TV coverage, brochures, magazine articles, etc.), and the need for in-service training and staff development, to cite the most common themes. Although these clearly are relevant and important issues, it appears to be a major oversight that the screening process has not been analyzed to any great extent.^{5/}

That this issue requires much closer examination is apparent from recent litigation. A number of landmark decisions^{6/} have found that correctional and related systems inflict "cruel and unusual punishment" on their inmates. Class action lawsuits challenging correctional institutions and practices commonly allege "guard brutality," and the number of suits against individual officers alleging unprovoked assault may be on the increase. Even discounting volume for false or exaggerated complaints, it would seem that the subject of the psychological suitability of the correctional officer deserves closer scrutiny.^{7/} Obviously, the selection processes now in existence fail more than occasionally to eliminate those people who would hardly qualify as models of "imitative behavior" and "possessors of emotional maturity and stability," frequently cited desirable line officer traits.

In its recent Report on Corrections,^{8/} the National Advisory Commission on Criminal Justice Standards and Goals has recognized the gravity of this problem. Standard 2.4 is entitled, "Protection from Personal Abuse." It requires correctional authorities to take affirmative action to diminish the level of abuse in correctional institutions by identifying violence prone inmates and staff and

acting to neutralize their potential for harm. While the dangers of prison work with violent inmates is a matter of common knowledge, until recently little serious attention was given to the equally vulnerable situation of the inmate. The promulgation of this Standard by a distinguished national body indicates that violent and abusive behavior by prison personnel is far from uncommon. As a means of minimizing the staff-caused violence, the standard notes the need to institute screening procedures "to detect staff members with potential personality problems."

For the purposes of this report, we assumed that this Standard is essentially sound. Consequently, one of the major functions of the selection process should be the identification and rejection of psychologically ill-suited applicants -- candidates displaying such undesirable traits as rigid personalities, nervous anxieties, sexual immaturity, and habits of compulsivity. The purpose of this report is not to advocate a particular method of screening but to present a preliminary survey of the different screening techniques currently used, to report on their claimed effectiveness, and to discuss some ancillary issues affecting the correctional personnel process.

II. Overview and Discussion of Survey Findings

Our examination of current correctional agency personnel selection procedures revealed that screening for emotional suitability is widespread (over 90% of the 46 responding correctional agencies claim to do some screening). Four processes were the main screening devices employed: (i) oral interviews; (ii) background information and police checks; (iii) testing; and (iv) medical examinations. The number and choice of screening devices employed differs from state to state.

Personal Interview

In almost all jurisdictions (38 of 46 respondents) a personal interview is employed. When coupled with more objective assessment methods it is an important tool in evaluating personality and character make-up. The effectiveness of an oral interview is limited by a variety of factors: How much meaningful behavior can be observed in an hour interview? How skilled are the interviewers in evoking relevant responses? How much of himself does the applicant allow to show? In applying for a job, an applicant usually makes an effort to put his best foot forward and might, therefore, succeed in suppressing undesirable personality traits. James V. Bennett, the founding director of the U.S. Bureau of Prisons, feels that an interview should help to evaluate:

. . . manner of approach, force of character, temperament, tact, poise, enthusiasm, self-reliance, and other traits associated with personality.^{9/}

It seems highly unlikely that during a brief, informal interview all the aforementioned traits could be adequately or meaningfully observed. Six of the states which conduct personal interviews have a group interview of potential employees as well. These typically involve three to five man committees. This process may be a more adequate means of assessing an applicant's strengths and weaknesses.

Background Information

Often the consideration of background information supplied by an applicant can provide useful material in evaluating a potential employee. Educational achievement, work history, and character references are all valuable guideposts in the selection process, and 38 agencies appear to consider them. Eight states appear to go beyond the normal review and checking of employment applications. As quasi-law enforcement agencies, they include a check of police records in the personnel selection process ^{10/} At best, the information this reveals is only tangentially or inferentially related to emotional suitability. When used in conjunction with other evaluatory methods, however, the possibility of selecting a well suited employee may be enhanced by drawing on all available information sources.

Probationary Period

(Only two states advised that a period of probationary employment is used as a screening method. In light of the high percentage of merit system correctional workers, and the common provision in such systems of an initial six to twelve month probationary year, it is likely that many more agencies in fact use this procedure. This process apparently has much to commend it. Writing specifically about the selection of police personnel, Molden has suggested that this is an effective method of narrowing the margin of error in the selection process.^{11/} During the probationary period, an employee is assigned a normal work schedule where his habits and potential usefulness can be scrutinized. The best place to observe and evaluate the emotional and general suitability of an applicant is in the actual work situation, Molden argues. An on-the-job observation yields a much more realistic picture than predictions of behavior resulting from artificial test or interview situations.)

Medical Examination

Twenty-five correctional agencies advised us that a medical examination was an important screening device for assessing emotional and psychological fitness. This was not elaborated, but it appears that these jurisdictions rely on the broad training of the examining physician to detect signs of instability and recommend further inquiry when warranted. (Several jurisdictions include psychologists on interview committees for the same apparent purpose.)

Testing

Testing is the other commonly used screening tool, with about a third (16 of 46) of the responding jurisdictions making regular use of tests. About half of these states routinely use personality tests and a number of other states use them only when indicated by data developed through other means. Presumably the agencies involved have identified character or personality traits which they deem to be disabling or disqualifying factors when present. However, despite a specific request for such information, we were unable (with one exception) to identify these criteria except in such general terms as "hostile" and "nervous." Since correctional agencies commonly administer a battery of tests to aid in classifying inmates, which result in rather specific indicators of strengths and weaknesses, the primitive "state of the art" as regards staff selection was not fully anticipated.

Three Studies on Psychological Testing of Guards

A search was made to locate relevant studies concerning the psychological testing of prison guards. An earlier report (1958) on this subject at a single institution noted that:

Moreover, so far as one can discover, there are no reported attempts to investigate the problem of prison guard selection in terms of interest and personality objective testing procedures. Material pertaining to interest and personality is generally gathered by subjective interview methods and as such is subject to all of the inaccuracies that inhere in such methods.^{12/}

In 1974, data in this particular area is still lacking.

There appear to be three pertinent studies which should be briefly mentioned. In each, researchers sought to differentiate "good" from "bad" officers through personality testing.

Max Hammer performed a study^{13/} in a women's reformatory in 1968 and discovered that the 16 Personality Factors Test effectively differentiated between "good" and "bad" officers. (Neither the Minnesota Multiphasic Personality Inventory nor the Strong Vocational Interest Test, which were also administered by Hammer, were able to distinguish between the two groups.) The "good" officers were described as more stable, spontaneous, flexible, and better able to get along with others. On the other hand, the "bad" officers had difficulty relating to others and were less able to express their emotions.

From 1961 to 1964 William C. Purdue, a psychologist at the Virginia State Penitentiary, conducted a study^{14/} at that institution involving approximately 160 correctional officers from the prison staff. Using the Johnson Temperament Analysis to measure nine different behavior characteristics, he found that the "good" custodial worker displayed more self-confidence or self-mastery

and more reserve and caution in dealing with others. He felt the Johnson Temperament Analysis was a useful tool, but only when used in conjunction with interviews, past work histories, and other related tests to judge job applicants' potential for custodial work.

Similarly, Richard N. Downey, an institutional psychologist, and E.I. Signori, a professor of psychology, conducted a study^{15/} at Oakalla Prison Farm in British Columbia from 1954-1956. Four tests were given to 100 employed guards: The Wesman Personnel Classification test, Kuder Preference Record-Vocational, Minnesota Multiphasic Personality Inventory, and the Manson Evaluation. A comparison of test scores was made between the top 27 "good" officers and lowest 27 "poor" officers. While the results of the comparison were significant, more work would be indicated to validate the findings. The "good" officer group was characterized by more verbal ability, self-confidence, social interest, and fewer nervous anxieties. Generally speaking, the "good" guards were more mature and emotionally stable.

It should be noted that in each case, the subject population was composed of persons already employed as correctional officers. Consequently, the predictive value of the test instruments was not measured. Rather, the ability of those tests to confirm selection decisions was at issue. Recognizing this limitation, and even taken together, these studies provide only fragmentary information in an area which certainly deserves more extensive research. Nevertheless, they suggest that psychological testing could be an effective screening process tool. There are inherent limitations, however, which prevent such testing from being viewed as a definitive indicator of ill-suited applicants.

Psychological and psychiatric evaluations cull out many latent personality problems, but results are necessarily based on a projection of the present state of mental health -- a somewhat unrealistic frame of reference removed from the stress of real life police situations. Additionally, a bright, well-educated applicant is sometimes capable of faking mental health to a very successful degree in short-range testing situations.^{16/}

Value and Limitations of Written Tests

Since a majority of the correctional workers in adult and juvenile institutions are hired under merit or civil service systems, mention should be made of the general employment testing commonly used. As a means of identifying competence or predicting good job performance, the written civil service exams have been severely criticized:

Most written tests do little more than assess the applicant's vocabulary and grammar and test his comprehension with rudimentary exercises in logic.^{17/}

High scores on general information tests have not been correlated with superior job performance. The problem appears to be that the tests are not job-related; they do not ask questions which relate to the functions of the job for which the applicant is being examined.

While written tests perform a screening function, the result is not always beneficial. It has been claimed that written tests are often "eliminators" rather than "selectors" of talent.^{18/}

It has been well documented that in some instances such tests bear little relation to the job and serve to exclude persons from minority groups and others for whom there is real need in correctional programming.^{19/}

Equal Employment Opportunity Criteria

Since 1972, state and local government employment practices have been subject to regulation by the Equal Employment Opportunity Commission. The experience of EEOC was that employers practiced discrimination through testing.^{20/} Consequently, EEOC guidelines on Employer Selection Procedures specify how employers must conduct testing programs to avoid charges of discrimination. These requirements have obvious relevance to states currently using or considering tests to aid in determining the emotional or psychological fitness of prospective employees.

The employer's fundamental obligation is to establish the "manifest relationships" between test and employment. This has created a need to "validate" employment tests. Courts have enjoined the use of tests not professionally validated in accordance with the EEOC guidelines.

The Guidelines require the presentation of empirical data which demonstrate that any given test is predictive of or significantly correlated with important elements of work behavior. To obtain such empirical data, the Guidelines allow the use of three methods of test validation: the first, criterion-related validity, is the preferred form of validation and is especially essential for validating entry-level aptitude tests; the second, content validity is a less preferred method of validation although it may be used to determine the validity of achievement tests; and the third, construct validity (also a less preferred form of validation) primarily concerns the testing of personality traits. In determining the sufficiency of validation evidence presented by employers, the courts have generally tracked the requirements of the Guidelines by enjoining the use of discriminatory and improperly validated tests. For example, the

courts have altogether rejected the use of content or construct validity in the absence of proof that a criterion-related validity study was not feasible. ^{21/} Additionally, the courts have rejected claims of content validity where there was insufficient evidence of a careful job analysis, ^{22/} where the comparison between job content and test content was merely superficial ^{23/} or where the job content was not accurately reflected by the test. ^{24/}

There is an additional problem for those agencies relying on civil service to handle their initial employment selection process. The device used, the written test previously described as a general information exam, does not appear to screen for emotional or psychological suitability. Therefore, several responding agencies reported that they are being inadequately served (by civil service) in this area.

In this regard, the Joint Commission recommended that oral interviews and evaluation of work, educational, and life experience be substituted for written examinations in correctional staff hiring. Personnel administrators were urged to rid the civil service system of the "written test syndrome" by eliminating such tests "except for those positions where tests can show demonstrable evidence of measuring capacity to perform the functions required." ^{25/}

Experience in Police Field

The meager data and research on the personnel selection process in correctional agencies contrasts with the situation in the frequently examined police field. ^{26/} A comprehensive survey covering 678 State, county, and municipal police agencies was published in 1973. It indicated that about 39% of the responding agencies make a clinical/psychiatric appraisal of line officer applicants. ^{27/} This finding supports John J. Murphy's 1972 report of a survey of 307 state and local police agencies. A total of 80 of the 203 responding agencies (39%) claimed to use psychological testing. The most popular test of the 36 types named was the Minnesota Multiphasics Personality inventory, which was used by 39 of the 80 affirmative respondents. A psychiatric interview was used almost as often, being mentioned 33 times. Murphy notes that the tests employed have not been validated for police use, and calls for further research on this matter. ^{28/}

A comprehensive description of correctional personnel practices has yet to be compiled. The lack of research and investigation in the correctional field may be attributable to a lack of public and media interest and a failure on the part of correctional administrators to promote self-investigation. Existing correctional research has focused on the inmate, not the prison staff. The studies which relate to staff usually concern training of those already employed rather than developing means to upgrade or improve the initial selection of prospective employees. As a result, some of the time and money which goes into training correctional staff may, in essence, be wasted on those who could be termed bad investments.

III. Survey of Agency Practices

In early October, 1974, we undertook to learn from correctional agencies themselves whether and how candidates for correctional officer positions are tested or screened to assess their psychological fitness for such positions. Inquiry letters were sent to the personnel directors of the District of Columbia and 50 state departments of corrections.

Employment applications, position descriptions and related documents were requested along with responses to six specific questions. As of December 5, 1974, 46 usable responses were received (one additional response could not be used because the submitting state was not identified). Personal contact was made with officials in six states to clarify or supplement the written responses. One attempt was made in November to evoke response from the missing states but this was not pursued in light of the excellent overall response rate.

Because only a short time was available for initiation and completion of this project, the data developed should be taken only as suggestive of the complete picture rather than descriptive of it. Rather generalized questions were propounded to which, not surprisingly, generalized responses were received. Personnel directors were also asked to judge the effectiveness of any screening they presently do. The responses are highly subjective because no measurement criteria accompanied the question.

Responses to each of our six questions are dealt with below. The accompanying chart displays the responses to questions 1, 3, and 5 in summary fashion.

Question 1. Personnel directors were asked whether or not current agency practice is to test or screen prospective employees to avoid hiring persons emotionally or psychologically unfit for duty as correctional officers. Only Indiana, New York, Ohio, and Pennsylvania reported making no such attempt at present. Follow-up calls were made to develop further information on these states.

Indiana, Ohio, and New York operate under general state merit system. In each case the routine screening of prospective employees is performed by the civil service agency. The primary method of ranking candidates is a written test of general information. At least in New York and Ohio there is an oral portion to this test which is concerned with "human relations". During the oral portion of the test, an interviewer may spend five or ten minutes "chewing the fat" with an applicant, according to a New York personnel official. Persons who pass the test are placed on a list of eligibles, from which institutional personnel make their selection, often from the five top scorers. This is sometimes the only institutional input into the personnel selection process. New York reported usually holding no personal interviews with those who pass the preliminary test because of the massive amount of hiring which is done a year--some 400 to 500 correctional officers. Because of the low pay, isolated

Methods and Effectiveness of Screening
Correctional Officer Candidates for
Emotional/Psychological Fitness

	Presently Screen for Fitness?	Screening Method*	Screening Effectiveness
Ala.	Yes	EA,PI,ME	Effective
Aka.	Yes	EA,WE,PI,ME,BC	Effective
Ariz.	Yes	EA,PI	Very Effective
Ark.	Yes	EA,PI,BC	Effective
Calif.	Yes	EA,WE,PI,ME	Effective
Colo.	Yes	EA,PI,ME,SCI	Effective
Conn.	Yes	EA,PI,ME	Not Very Effective
Del.	Yes	EA,WE,PI	Effective
D.C.	Yes	EA,PI,ME,BC	Effective
Fla.	Yes	EA,PI,ME	Effective
Haw.	Yes	EA,WE,PI,ME,SCI	Effective
Idaho	Yes	EA,WE,PI	Not Very Effective
Ill.	Yes	EA,PI,ME	Effective
Ind.	No		Not Very Effective
Iowa	Yes	EA,PI,ME,BC	Effective
Kan.	Yes	EA,WE,PI,BC	Effective
Ky.	Yes	EA,PI	Not Very Effective
La.	Yes	EA,WE,PI,ME	Not Very Effective
Maine	Yes	EA,PI,SCI	Very Effective
Md.	Yes	ME	Effective
Mass.	Yes	EA,PI	Effective
Miss.	Yes	EA,PI	Effective
Mo.	Yes	EA,WE,ME	Effective
Mont.	Yes	EA,WE,PI,ME	Effective
Neb.	Yes	EA,PI,ME,BC	Effective
Nev.	Yes	EA,WE,PI,SCI	Effective
N.H.	Yes	EA,WE,PI,ME	Not Very Effective
N.J.	Yes	WE,PI,ME	Effective
N.Y.	No		Not Very Effective
N.C.	Yes	EA,PI,ME	Effective
N.D.	Yes	EA,WE,PI,ME	Very Effective
Ohio	No	(Developing system using oral interview)	Not Very Effective
Okla.	Yes	WE,PI	Effective
Ore.	Yes	PI,TS	Effective
Pa.	No		Effective
R.I.	Yes	EA,PI,WE,ME	Very Effective
S.C.	Yes	EA,PI,ME	Effective
S.D.	Yes	EA,PI	Effective
Tenn.	Yes	EA,PI,ME,BC	Not Very Effective
Texas	Yes	EA,PI	Not Very Effective
Utah	Yes	EA,PI,ME	Not Very Effective
Vt.	Yes	EA,WE,PI	Not Very Effective
Va.	Yes	EA,PI,ME,TS,BC	Effective
Wash.	Yes	EA,PI,SCI	Effective
W.Va.	Yes	EA,PI,ME	Effective
Wisc.	Yes	EA,PI,SCI	Effective

*Key -- EA-employment application; WE-written examination; PI-personal interview; ME-medical examination; BC-background check; SCI-screening committee interview; TS-trial service

locations, and high turn-over rates, Indiana and Ohio officials indicated that any "warm body" passing the test would likely be hired. The officials with whom we spoke characterized these systems as totally ineffective for screening out emotionally unsuited candidates.

Pennsylvania similarly relies upon a state civil service agency to produce a pool of qualified applicants for employment in correctional institutions. The corrections department believes that civil service's efforts have been effective in eliminating potentially unfit applicants. These do not include the use of any psychological test. In the judgment of responsible officials, guidelines on employment testing promulgated by the Equal Employment Opportunity Commission (EEOC) effectively invalidate such tests since none have been properly validated for the correctional officer position.

Question 2. This item was designed to elicit information about how state correctional agencies define fitness. Personnel directors were asked whether there was a written policy statement or regulation regarding psychological fitness. Copies of such materials were requested.

Eight states (Arkansas, Illinois, Kansas, Mississippi, North Carolina, Rhode Island, Tennessee and West Virginia) claimed to have such documents, but only North Carolina furnished additional information.^{29/} After stipulating that "all applicants should be screened by a licensed psychiatrist or clinical psychologist, or by a test procedure properly administered," the material goes on to recommend rejection for the following causes (excerpted):

- a. psychosis;
- b. psychoneuroses which caused hospitalization, prolonged professional care, repeated loss of time from normal pursuits or repeated behavior which impaired work or school efficiency;
- c. personality or character disorders evidenced by frequent encounters with law enforcement, overt homosexuality or other forms of sexually deviant practice of a bizarre nature, alcoholism or drug addiction.

Question 3. This question asked states which try to screen applicants for emotional or psychological fitness to identify the method(s) or technique(s) relied upon. With the exception of Maryland, which apparently relies upon only a medical examination, the states all use more than one diagnostic tool.

The employment application and personal interviews were the most frequently cited aids, each being mentioned by 38 respondents. Others, in order of frequency, with the numbers of mentions, included: medical examination--25; written examination--16; background (including police) check--8; screening committee interview--6; and trial service (probationary employment)--2.

Question 4. In this item agencies were asked to name any tests they use. As anticipated, only the 16 states reporting use of a written exam responded to this question. 30/

Five states reported use of the Minnesota Multiphasic Personality Inventory. Delaware, North Dakota, and Rhode Island apparently administer the test before making a hiring decision. Arkansas gives the test after applicants are employed. New Jersey utilizes MMPI (and other tests) when the routine psychological interview indicates a need for additional inquiry. Oklahoma is the only other state using a test which could be identified as designed to give an indication of emotional or psychological fitness. It administers the Cattell or 16 Personality Factors Test to new employees during training.

Although the other 10 states used a variety of terms and names for their tests, it appears that they are the general information type. Except for three states, which called their tests "Correctional Officers Examination," it was not possible to judge the job relatedness of these tests.

Question 5. This item asked personnel directors to subjectively evaluate the effectiveness of any screening they do at present. Are unfit candidates identified?

In 30 states (65 percent) of the responding jurisdictions present screening practices were termed "effective". Four additional states-- Arizona, Maine, North Dakota, and Rhode Island-- described theirs as "very effective". In the other 12 states screening is "not very effective".

The four "very effective" states are alike in that each uses a personal interview and the employment application as screening tools. Maine also utilizes an interview with a five member screening committee which includes a psychologist. In Arizona, the applicant also undergoes "structured oral boards". North Dakota and Rhode Island use two additional techniques in screening, the medical examination and written tests. The Minnesota Multiphasic Personality Inventory is used by both states. Another test, called the "Correctional Officer" test is given in Rhode Island while North Dakota also administers the "Edwards Personal Preference Schedule and the "Shipley" examination.

Comparative analysis of the "very effective" and "not very effective" state practices produced no clear differences which would help the "nots" upgrade their performance. Excluding Indiana, New York, and Ohio (which do not screen for emotional fitness), the nine other states with ineffective screening employ substantially the same techniques and combinations as their more successful sister states: all nine use both employment applications and personal interviews, five use medical examinations and four use written examinations. One possible difference is that of the four states using written examinations, none appears to be designed to surface issues of emotional or psychological fitness. (In Vermont's "Correctional Officer" exam of 100 multiple choice questions, 10 percent of the items involve "psychological inferences". However, Vermont "will not attempt to determine psychological fitness with written tests until rigorous research based upon concurrent and predictive validity in conformance with EEOC Guidelines proves definitive for appropriate application".)

Also, no uniform pattern was discernible as regards the states which were simply "effective."

Question 6. States were asked to indicate the number, or percentage, of applicants rejected in the last two years because of doubts regarding emotional or psychological fitness. Fifteen states were unable to make estimates and the estimates of the other states ranged from a low of 0% to a high of 75%. (A few states reported their rejection experience numerically, but the data is not valuable since information about total applicants was not supplied.) Consequently, we judged the data to be unreliable to a substantial degree. Set forth below, as a matter of interest only, is the reported data for the states estimating their rejection experience by percentages:

<u>Percent Rejected on "Fitness" Grounds</u>	<u>Number of States</u>
0 - 15 percent	15
16 - 30 percent	6
31 - 45 percent	2
46 - 60 percent	1
61 - 75 percent	1

IV. Recapitulation and Reflections

As can be seen, all but four of the 46 responding state agencies claim to test or screen prospective employees to identify those emotionally or psychologically unfit for correctional officer work. However, only eight of these jurisdictions claimed to have written policy statements or regulations regarding psychological fitness. The methods most often mentioned to identify psychological fitness were medical examinations, written tests, background checks, screening committee interviews, and trial (or probationary) service. The written tests reportedly used by 16 agencies were for the most part of the general information type. We found 30 states felt that their procedures were "effective," 12 states felt that their procedures were "not very effective," and 4 states felt that their procedures were "very effective." However, we could not discern any patterns to account for the differences in reported effectiveness. The percentage of applicants rejected on grounds of psychological unsuitability ranged from 0% to 75% with approximately a fourth of the responses in the 1-15% range.

The Zimbardo Theory

The foregoing discussion has concentrated on the employee selection practices of correctional agencies. New practices may

well, over time, change the make-up of the correctional workforce and, hence, of corrections itself. It is necessary, however, to point out that there are those who believe that the focus of attention should be on the institution itself rather than on its personnel. A recent study performed at Stanford University by Professor Philip Zimbardo supports the theory that an inherently sadistic and abusive prison environment, not the different personalities working within its confines, produces anti-social reactions.

The negative anti-social reactions observed were not the product of an environment created by combining a collection of deviant personalities, but rather, the result of an intrinsically pathological situation which could distort and rechannel the behavior of essentially normal individuals. The abnormality here resided in the psychological nature of the situation and not in those who passed through it. 31/

Other Reform Models

Since the physical structure of the prison is unlikely to undergo any immediate or drastic change, many of those interested in prison reform have devoted their attention to the social forces affecting the institutional environment. Wenk and Moos in their studies suggest that the concept of the prison as a complex social structure is often overlooked. "Life in these total institutions, including behavior shown by inmates and staff, is, as elsewhere, a joint function of both personality factors of the individual and their interaction with the environment." 32/ While less sweeping and severe in their conclusions about the nature of the prison environment than Zimbardo, both David Fogel with his "justice model" of rehabilitation and John Conrad with his "citizenship model" offer alternatives to the present prison system. Their concepts stress the importance of the correctional officer because modernization of the prison environment is intrinsically involved with the upgrading of prison personnel.

The correctional officer is a central actor in this drama. He can be brushed off as a brutal Neanderthal type or he can be enlisted as an agent of change and find a new dignity for himself. We can no longer afford the futility of polarization. 33/

In the past, the functions of the line officer were clearly outlined. "All he needed was a club, or steel tipped cane, a rifle or a whip to administer a lock-step, silent system of prison behavior management." 34/ Basically, his job was and continues to be one of custody and security. It seems clear that the officers role requires reevaluation and his function and duties restructuring before the correctional officer position can attract applicants with skills that make them candidates for integration into the rehabilitative process. 35/ Broadened responsibility for the correctional officer will give him greater status, perhaps dignity, and

more pay -- all important features in attracting better candidates, thus permitting better selections. (We have assumed, of course, that there is some kind of choice to be made. Without the ability to choose, the refinements and innovations in personnel technology are of negligible value. If there are only 25 applicants and 30 positions must be filled, even the best screening methods will not help to upgrade the staff.) The present military model for organizing institutional workers, with its related regimentation, offers little motivation and almost no mobility for the correctional officer. This factor further limits the choice of correctional officer candidates.

Once the functional requirements of the new correctional officer position are defined, the personal qualities and requisite skills needed for effective performance can be identified and measured, and the dollar value of those considerations assessed in the marketplace.

When such role and ancillary changes have been made, one may expect that the candidate pool will be both more numerous and skilled than at present. This would create a fertile condition for the application of improved personnel selection procedures.

FOOTNOTES

- 1/ Sheldon B. Reizer, Edward B. Lewis, Robert W. Scallen, "Correctional Rehabilitation as a Function of Interpersonal Relations," Behavioral Science and Modern Penology, 110 (1973).
 - 2/ D.F. Lundberg, quoted in "The Selection of Prison Guards" Richard W. Downey & E.I. Signori, 49 J. Cr. L., Crim. & P.S., 234 (1958).
 - 3/ Downey and Signori, Id., 234.
 - 4/ Joint Commission on Correctional Manpower and Training, A Time to Act, p. 12 (1969).
 - 5/ Downey and Signori, Ibid., pp. 234-236; William C. Perdue, "The Screening of Applicants for Custodial Work by Means of a Temperament Test," 26 American Journal of Corrections, pp. 14-19, (1964).
 - 6/ Tolbert v. Bragen, 451 F. 2d 1020 (5th Cir. 1971); Holt v. Sarver, 309 F. Supp. 362 (E.D. Ark. 1970), aff'd., 442 F. 2d 304 (8th Cir. 1971); Morales v. Turman, 364 F. Supp. 166 (E.D. Tex. 1973); Davis, "Sexual Assaults in the Philadelphia Prison System and Sheriff's Vans," Transactions (1968).
 - 7/ The stereotype of the "sadistic" guard may be somewhat overdrawn. But whether, as Gresham Sykes argues, it is unrealistic at all is questionable.

The common stereotype of social interaction within the maximum security prison presents a brutal and sadistic guard exercising a maximum of social control over a criminal locked by himself in a cell. In fact, however, this picture seems to have little correspondence with reality ...
- Certainly, there is support for the contrary view in recent litigation.
- 8/ National Advisory Commission on Criminal Justice Standards and Goals, Report on Corrections, Standard 2.4 (1973).
 - 9/ James V. Bennet, "The Selection and Training of Correctional Personnel with Special Reference to the Federal Prison System of the United States of America," 15 U.N. International Review of Criminal Policy, 10 (1959).
 - 10/ Any use of police records for other than law enforcement purposes involves consideration of a variety of civil rights and related issues. By noting that police records are in fact checked by some correctional agencies we imply no comment on related issues.

- 11/ Jack Molden, "The Use of Probation in the Selection Process," Police, 31 (January, 1972).
- 12/ Downey and Signori, Id., 234.
- 13/ Max Hammer, "Differentiating Good and Bad Officers in a Progressive Rehabilitative Women's Reformatory," 14 Corrective Psychiatry, 114 (1968).
- 14/ Perdue, Id., 14.
- 15/ Downey and Signori, Id., 234.
- 16/ Jack Molden, Id., 31.
- 17/ National Advisory Commission on Criminal Justice Standards and Goals, Report on Corrections, 472 (1973).
- 18/ Joint Commission on Correctional Manpower and Training, Perspectives on Correctional Manpower and Training, 124 (1970).
- 19/ American Association of Community and Junior Colleges and American Bar Association Resource Center on Correctional Law and Legal Services, Legislating for Correctional Line Officer Education and Training, 5 (1973).
- 20/ 29 C.F.R. §1607 (1970).
- 21/ Western Addition Community Organization v. Alioto, 360 F. Supp. 733 (N.D. Cal. 1973); Bridgeport Guardians v. Bridgeport Civil Service Commission, 354 F. Supp. 778 (D. Conn. 1973), aff'd, ___ F. 2d ___, (2nd Cir. 1973); Fowler v. Schwarzwald, 351 F. Supp. 721 (D. Minn. 1972). Compare 29 C.F.R. §1607.5 which allows the use of content and construct validity for "well-developed tests" only "where criterion-related validity is not feasible;" 29 C.F.R. §1607.4 which defines "technically feasible" as having a sufficient number of minority individuals to obtain findings of statistical and practical significance, being able to obtain unbiased criteria, etc., and which requires "the person claiming absence of technical feasibility to positively demonstrate evidence of this absence."
- 22/ See Western Addition Community Organization v. Alioto, 340 F. Supp. 1351 (N.D. Cal. 1972). Compare 29 C.F.R. §1607.5(a) and §1607.5(b)(3).

- 23/ Fowler v. Schwarzwald, 351 F. Supp. 721 (D. Minn. 1972), the court noted that face validity did not satisfy the more thorough requirements of content validity:
- "While a reading of the test questions prompts the immediate conclusion that they do pertain to the firemen's job and are free of any cultural bias, present standards of psychological science and the law require more than this to validate a test." 351 F. Supp. at 726.
- 24/ Western Addition Community Organization v. Alioto, 360 F. Supp. 733 (N.D. Cal. 1973).
- 25/ Joint Commission on Correctional Manpower and Training, A Time to Act, 20 (1969).
- 26/ E.C. Furcon & R.G. Froemel, Longitudinal Study of Psychological Test Predictors and Assessments of Patrolman Field Performance (1971); R.W. Heckman & R.W. Groner, Development of Psychiatric Standards for Police Selection (1972); R.G. Narrol & E.E. Levitt, "Formal Assessment Procedures in Police Selection," 12 Psych. Rpts. 691 (1963); J.H. Rankin, "Preventive Psychiatry in the Los Angeles Police Department," Police 24 (1957); C. Read, A. Abrams, H. Trosman & P. Margoles, "The Psychological Assessment of Police Candidates," Am. J. of Psych. 1575 (1968).
- 27/ Terry Eisenberg, Deborah Ann Kent, & Charles R. Wall, Police Personnel Practices in State and Local Governments 20 (1973).
- 28/ Joseph J. Murphy, "Current Practices in the Use of Psychological Testing by Police Agencies," 63 J. Cr. L., Crim. & P.S. 570 (1972).
- 29/ North Carolina State Personnel Department, Specification S-26.
- 30/ The Texas response indicated that the MMPI was formerly administered but had been discontinued on the assumption its use is improper under EEOC guidelines.
- 31/ Craig Haney, Curtis Banks, Philip Zimbardo, "Interpersonal Dynamics in a Simulated Prison," 1 International J. Criminology and Penology, 90 (1973).
- 32/ Ernest Wenk and Rudolph Moos, "Social Climates in Prison: An Attempt to Conceptualize and Measure Environmental Factors in Total Institutions," 9 J. Research in Crime and Delinquency, 134 (1972).

33/ David Fogel, Address at National Conference on Criminal Justice, Jan., 1973 (publication pending in Proceedings of the National Conference on Criminal Justice Standards and Goals).

34/ Id.

35/ This is not to suggest that correctional administrators are unaware of or insensitive to the issues discussed in this report, nor that there is no movement in the field. The current effort of the Federal Bureau of Prisons to reorganize many of its institutions in accordance with the Functional Unit Concept is an example of innovation in corrections. The B.O.P. program involves the sub-division of its institutions into semi-autonomous Functional Units housing some 50 to 100 prisoners. These individuals, and staff, are assigned to a unit for extended periods so that stable relationships can be developed. The unit is the basis of programming as well as housing. For a full discussion of this concept, see Robert B. Levinson and Roy E. Gerard, Functional Units: A Different Correctional Approach, 37 Fed. Prob. 8 (1973).