

MAR 21 1985

HOUSE FILE 691

Place On Calendar

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly House Study Bill 161)

Passed House, Date 3-29-85 (j. 1181) Passed Senate, Date 4-16-85 (P.1412)

Vote: Ayes 82 Nays 8 Vote: Ayes 46 Nays 1

Approved May 28, 1985

A BILL FOR

- 1 An Act relating to the psychological testing of law enforcement
- 2 officers and candidates.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 691

H-3510

1 Amend House File 691 as follows:

2 1. Page 1, by striking lines 19 through 26, and
 3 inserting the following: "applicants being considered
 4 in the final selection process for a law enforcement
 5 position. ~~For original appointments to law~~
 6 ~~enforcement officer positions under Notwithstanding~~
 7 ~~any provision of chapter 400, the "final selection~~
 8 ~~process" means the point in the examination process of~~
 9 ~~section 400.8 which is just prior to the certification~~
 10 ~~to the city council of the list of names of the~~
 11 ~~persons who qualify with the highest standing pursuant~~
 12 ~~to section 400.11: an applicant shall not be hired if~~
 13 ~~the employer determines from the tests that the~~
 14 ~~applicant does not possess sufficient cognitive~~
 15 ~~skills, personality characteristics, or suitability~~
 16 ~~for a law enforcement career."~~

17 2. Page 1, line 30, by inserting after the word
 18 "agencies" the words "or applicants".

H-3510 FILED MARCH 27, 1985 BY BRAMMER of Linn

Adopted 3/29 (j. 1181)

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1 Section 1. Section 22.7, Code 1985, is amended by adding
2 the following new numbered subsection:

3 NEW NUMBERED SUBSECTION. 19. Examinations, including but
4 not limited to cognitive and psychological examinations for
5 law enforcement officer candidates administered by or on
6 behalf of a governmental body, to the extent that their
7 disclosure could reasonably be believed by the custodian to
8 interfere with the accomplishment of the objectives for which
9 they are administered.

10 Sec. 2. Section 80B.11, subsection 5, Code 1985, is
11 amended to read as follows:

12 5. Minimum standards of mental fitness which shall govern
13 the initial recruitment, selection and appointment of law
14 enforcement officers. The rules shall include, but are not
15 limited to, providing a battery of psychological tests to
16 determine cognitive skills, personality characteristics and
17 suitability of an applicant for a law enforcement career.
18 However, this battery of tests need only be given to
19 applicants ~~being-considered-in-the-final-selection-process-for~~
20 a-law-enforcement-position prior to actual employment as law
21 enforcement officers. ~~For-original-appointments-to-law~~
22 ~~enforcement-officer-positions-under-chapter-400,-the-"final~~
23 ~~selection-process"-means-the-point-in-the-examination-process~~
24 ~~of-section-400.8-which-is-just-prior-to-the-certification-to~~
25 ~~the-city-council-of-the-list-of-names-of-the-persons-who~~
26 ~~qualify-with-the-highest-standing-pursuant-to-section-400.11.~~
27 The director of the academy shall, beginning July 1, 1986,
28 provide for the cognitive and psychological examinations and
29 their administration at no cost to the law enforcement
30 agencies, and shall identify and procure persons who can be
31 hired to interpret the examinations.

32 EXPLANATION

33 This bill provides that examinations of law enforcement
34 officers may be confidential records and that the examinations
35 relating to cognitive and psychological fitness shall be given

1 prior to actual employment and shall be administered by the
2 law enforcement academy at no cost to the various law
3 enforcement agencies.

HOUSE FILE 691
FISCAL NOTE

REQUESTED BY REPRESENTATIVE BRAMNER

In compliance with a written request received March 21, 1985, a fiscal note for HOUSE FILE 691 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 691 provides that examinations of law enforcement officers and candidates for cognitive and psychological fitness need only be given prior to actual employment as law enforcement officers. Current law requires testing of applicants being considered in the final selection process for a position, and the test is used to screen applicants. The bill requires the Iowa law enforcement academy to provide for these examinations at no cost to the law enforcement agencies, and to identify and procure persons who can be hired to interpret the examinations.

Approximately 350 new law enforcement officers are hired each year. The test material and scoring services are obtainable only from outside vendors and cost \$46.50 per psychological test and \$12.50 per cognitive test. A psychologist will have to be hired to interpret the examinations.

Assuming that only one test is given per vacancy (the minimum required by the bill), it is estimated that this bill will increase state expenditures by \$60,125 annually (\$32,000 salaries, \$22,125 cost of tests, \$5,000 equipment and support). If the Academy can use a consultant psychologist, the expenditures may be lower. Local law enforcement agencies, currently responsible for funding administration and interpretation of the tests, will no longer have to pay these costs.

Source: Law Enforcement Academy

(LSB 2031H, JMN)

FILED MARCH 29, 1985

BY DENNIS PROUTY, FISCAL DIRECTOR

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JUDICIARY: Carr, Chair; Mann and Holt

HOUSE FILE 691

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(As Amended and Passed by the House March 29, 1985)

Passed House, Date 3-29-85 (1181) Passed Senate, Date 4-16-85 (p. 1412)

Vote: Ayes 82 Nays 8 Vote: Ayes 46 Nays 1

Approved May 28, 1985

A BILL FOR

1 An Act relating to the psychological testing of law enforcement
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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

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6 behalf of a governmental body, to the extent that their
7 disclosure could reasonably be believed by the custodian to
8 interfere with the accomplishment of the objectives for which
9 they are administered.

10 Sec. 2. Section 80B.11, subsection 5, Code 1985, is
11 amended to read as follows:

12 5. Minimum standards of mental fitness which shall govern
13 the initial recruitment, selection and appointment of law
14 enforcement officers. The rules shall include, but are not
15 limited to, providing a battery of psychological tests to
16 determine cognitive skills, personality characteristics and
17 suitability of an applicant for a law enforcement career.
18 However, this battery of tests need only be given to
19 applicants being considered in the final selection process for
20 a law enforcement position. Per-original-appointments-to-law
21 enforcement-officer-positions-under-Notwithstanding any
22 provision of chapter 400, the-"final-selection-process"-means
23 the-point-in-the-examination-process-of-section-400-8-which-is
24 just-prior-to-the-certification-to-the-city-council-of-the
25 list-of-names-of-the-persons-who-qualify-with-the-highest
26 standing-pursuant-to-section-400-11; an applicant shall not be
27 hired if the employer determines from the tests that the
28 applicant does not possess sufficient cognitive skills,
29 personality characteristics, or suitability for a law
30 enforcement career. The director of the academy shall,
31 beginning July 1, 1986, provide for the cognitive and
32 psychological examinations and their administration at no cost
33 to the law enforcement agencies or applicants, and shall
34 identify and procure persons who can be hired to interpret the
35 examinations.

HSB 161

Judiciary & Law Enforcement

Study Bill 161

Judiciary and Law Enforcement: Brammer, Chair; Knapp and Siegrist

HOUSE FILE

691

now
HF 691

BY (PROPOSED COMMITTEE ON
JUDICIARY AND LAW
ENFORCEMENT BILL)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the psychological testing of law enforcement
2 officers and candidates.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2 amended to read as follows:

3 5. Minimum standards of mental fitness which shall govern
4 the initial recruitment, selection and appointment of law
5 enforcement officers. The rules shall include, but are not
6 limited to, providing a battery of psychological tests to
7 determine cognitive skills, personality characteristics and
8 suitability of an applicant for a law enforcement career.

9 However, this battery of tests need only be given to
10 applicants being considered in the final selection process for
11 a law enforcement position. For original appointments to law
12 enforcement officer positions under chapter 400, the "final
13 selection process" means the point in the examination process
14 of ~~section-400-8-which-is-just-prior-to-the~~ certification to
15 the city council of the list of names of the persons who
16 qualify with the highest standing pursuant to section 400.11.

17 EXPLANATION

18 This bill provides that only those law enforcement officer
19 candidates to be certified pursuant to the requirements of
20 section 400.11 need undergo certain mandatory psychological
21 testing.

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HOUSE FILE 691

AN ACT

RELATING TO THE PSYCHOLOGICAL TESTING OF LAW ENFORCEMENT OFFICERS AND CANDIDATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 22.7, Code 1985, is amended by adding the following new numbered subsection:

NEW NUMBERED SUBSECTION. 19. Examinations, including but not limited to cognitive and psychological examinations for law enforcement officer candidates administered by or on behalf of a governmental body, to the extent that their disclosure could reasonably be believed by the custodian to interfere with the accomplishment of the objectives for which they are administered.

Sec. 2. Section 80B.11, subsection 5, Code 1985, is amended to read as follows:

5. Minimum standards of mental fitness which shall govern the initial recruitment, selection and appointment of law enforcement officers. The rules shall include, but are not limited to, providing a battery of psychological tests to determine cognitive skills, personality characteristics and suitability of an applicant for a law enforcement career. However, this battery of tests need only be given to applicants being considered in the final selection process for a law enforcement position. ~~For original appointments to law enforcement officer positions under~~ Notwithstanding any provision of chapter 400, the "final selection process" means the point in the examination process of section 400.8 which is just prior to the certification to the city council of the list of names of the persons who qualify with the highest standing pursuant to section 400.11 an applicant shall not be hired if the employer determines from the tests that the

applicant does not possess sufficient cognitive skills, personality characteristics, or suitability for a law enforcement career. The director of the academy shall, beginning July 1, 1986, provide for the cognitive and psychological examinations and their administration at no cost to the law enforcement agencies or applicants, and shall identify and procure persons who can be hired to interpret the examinations.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 691, Seventy-first General Assembly.

Approved May 28, 1985

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor

H.F. 691