



## **Public Synopsis**

OIG Report #2015-0513

**Review of Psychology Consultants Associated's  
Compliance with Contract for Psychological Services  
for the Baltimore Police Department**



**OFFICE OF INSPECTOR GENERAL  
BALTIMORE CITY**

100 N. Holliday Street, Rm. 640  
Baltimore, MD 21202



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Compliance with Contract for Psychological Services for the Baltimore Police Department**

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<b>FROM</b>	NAME & TITLE	Robert H. Pearre, Jr. – Inspector General <i>RA</i>	CITY of <b>BALTIMORE</b>  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Office of Inspector General City Hall, Suite 640		
	SUBJECT	Synopsis of OIG Final Report #2015-0513		

**TO** DATE: 05/16/2016

Hon. President, and Members of the City Council  
400 City Hall

Please find attached, the Office of Inspector General’s (OIG) Public Synopsis of case #2015-0513 involving Psychology Consultants Associated, P.A. (PCA). PCA was contracted by the City of Baltimore to perform certain services for members of the Baltimore Police Department (BPD) and their families.

On May 1, 2015, the OIG received a complaint alleging that PCA did not comply with the contract’s requirement that pre-employment mental examinations of prospective police officers last a minimum of 1 hour. Based on the information received, the OIG initiated an investigation. As part of the investigation, the OIG interviewed a sample of BPD Officers with Entry-on-Duty (EOD) dates during calendar year 2015. After completing 45 interviews, the OIG elected to interview another sample of 47 BPD Officers with EODs between April 2013 and December 2014. In total, the OIG interviewed 92 BPD Officers and Trainees, or approximately 32 percent of the 286 candidates entering BPD employment between April 2013 and June 2015. Of the sample of 92 officers and trainees interviewed, a total of 68 (74 percent) had pre-employment mental examinations that lasted from zero to 30 minutes or significantly less than the contract required one hour. As a result of not complying with contractual requirements, PCA has caused the City an estimated loss of approximately \$29,630.

The OIG recommended that the Baltimore City Law Department consider a potential breach of contract for which the City may be entitled to file for civil recovery against PCA. The OIG also recommended that the BPD consult with a recognized and independent law enforcement expert to determine the appropriate duration for pre-hire mental examinations. The OIG additionally recommended that the BPD ensure that adequate contract administration policies and procedures are in place to enforce all contract terms. Management agreed with the report’s recommendations.

The OIG would like to thank all of the City agencies and personnel who acted as valuable partners in working towards the successful conclusion of this investigation. The OIG looks forward to continuing our partnership to strengthen policy, procedure, and internal oversight protocols.

- This report is available to the public in print or electronic format.
- To obtain a printed copy, please call or write:

Office of Inspector General  
100 N. Holliday Street  
Suite 640, City Hall  
Baltimore, MD 21202

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- Notifications of new reports are now available via Twitter by following us **@OIG\_BALTIMORE**.

Public Synopsis



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**Public Synopsis**

**Synopsis of OIG Report #2015-0513: Review of Psychology Consultants Associated's Compliance with Contract for Psychological Services for the Baltimore Police Department**

**Subject:** Psychology Consultants Associated, P.A.

**Introduction**

The Office of Inspector General (OIG) received a complaint alleging breach of contract by the vendor responsible for performing pre-hire mental examinations for the Baltimore Police Department (BPD). The complainant alleged that the vendor routinely failed to meet the minimum one hour duration during pre-hire mental examinations as required by the contract. The OIG conducted an investigation and determined that a majority of the BPD officers and trainees interviewed stated that their assessment interviews, one component of the pre-hire mental examination, lasted less than the required minimum of one hour.

**Background**

**B50002644 – Contract for Psychological Services for BPD**

Psychology Consultants Associated, P.A. (PCA) received the award for Solicitation Number B50002644 for psychological services, which is known as contract #B50002644-Psychological Services. The period of the contract was April 17, 2013 through April 16, 2015 with three two-year renewal options. On June 17, 2015, the Board of Estimates approved the Bureau of Purchases' request to renew PCA's contract for the period from April 18, 2015 to April 17, 2017, the contract's first renewal term. By City of Baltimore letter dated August 7, 2015, certain PCA services under the contract including pre-hire mental examinations were suspended pending the completion of the OIG's investigation.

Under the contract, the following six services are required:

1. Pre-hire mental examinations of officers,
2. Psychological/psychiatric stress management counseling,
3. Domestic counseling,
4. Follow-up and fitness for duty for reassignment examinations,
5. Continued fitness for duty examinations, and

## 6. Fitness for hire examinations.

Specifically related to the pre-hire mental examinations of officers, the contract requires:

1. Contractor shall perform pre-hire psychological assessment examinations of departmental police officers only.
2. To perform pre-hire psychological assessment evaluations of police officer candidates utilizing an assessment instrument commonly accepted as being valid based on historical data.
3. Each assessment interview shall last a minimum of one hour per candidate.
4. Determine that each applicant is Recommended, Recommended with Reservations, or Not Recommended accompanied by a printed report for the Department to facilitate management decisions on suitability for hiring.

Under the terms of the contract, PCA is permitted to charge the City \$140.00 for each BPD pre-hire mental examination. Under the time period at issue in this investigation, April 18, 2013 to August 7, 2015, PCA conducted over 560 pre-hire mental examinations at a total cost to the City of \$78,910.00.

## Summary of Investigation

### Synopsis

On May 1, 2015, the OIG received a complaint alleging breach of contract by PCA, the vendor responsible for performing pre-hire mental examinations for the BPD. The complainant alleged that PCA did not comply with the contract's requirement that one component of the pre-hire mental examination, the assessment interview, last at least one hour.<sup>1</sup> Based on the information received, the OIG initiated an investigation.

The OIG limited the scope of its investigation to the City's current contract with PCA.<sup>2</sup> In addition, the OIG excluded any pre-hire mental examinations administered to candidates who did not ultimately enter BPD employment. From the contract's start in April 2013 through its suspension on August 7, 2015, PCA conducted approximately 560 pre-employment psychological assessments. From that cohort, a total of 286 candidates passed all tests and eventually entered into BPD employment. Of that group of 286, the OIG selected a sample 119 for interviews. The OIG ultimately interviewed 92 officers and trainees or 32 percent of the 286. Their corresponding assessment interviews comprise the scope of the OIG investigation.<sup>3</sup>

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1 Detailed Specifications DS1.C.3, contained in Solicitation B50002644 – Request for Psychological Services.

2 During his interview, Dr. Sachs stated that PCA has held this contract since the 1970s. The OIG was able to verify that PCA has held this contract since 2006.

3 The OIG notes that a BPD Officer with a hire date during or shortly thereafter April 2013 may have had a psychological assessment performed prior to April 2013 which would have been included under the previous contract, BP-06050, also held by PCA. This contract included a minimum one hour interview for pre-employment psychological assessments.

## Interviews

*Kenneth Sachs, Ph.D., Psychology Consultants Associated, P.A.*

Dr. Sachs was interviewed on August 25, 2015 by the OIG. He was present with his attorney, Richard Berger, Esq.. The interview was digitally recorded at the consent of Dr. Sachs. The following information was obtained during the interview:

- With regard to the results of the pre-hire mental examination of BPD officers, Dr. Sachs stated that:
  - “But the interview is typically 40, 45 minutes.”<sup>4</sup>
  - “Police evals typically last about 45 minutes. In the contract, it says, or in the agreement, it says it’s an assessment interview, so the assessment is the giving the test, the interpretation of the test, in the interview I do a lot of questions about how they answered the test, it’s the interview itself and it’s a dictation of report.”<sup>5</sup>
  - “I do an interview as long as it takes me to get a clear idea of what’s going on.”<sup>6</sup>
  - “The ones [interviews] that are shorter than that are like for example; cadets that are 18 years old and you know they don’t have a history, they don’t have much to say and it’s hard to get information. And the other kinds of interviews that might be somewhat shorter are people that I know who are not going to make it. Their tests are horrible when I see them and I know I can never pass them.”<sup>7</sup>

### *92 BPD Trainees and Officers*

In an initial effort to determine if the complaint could be substantiated, the OIG began interviewing BPD officers and trainees with Entry-on-Duty (EOD) dates in calendar year 2015. After completing 45 interviews, the OIG elected to interview another 47 BPD Officers with EODs between April 2013 and December 2014. In total, the OIG interviewed 92 BPD Officers and Trainees, or approximately 32 percent of the 286 candidates entering BPD employment between April 2013 and June 2015.

The OIG interviewed 92 BPD officers and trainees of the 119 selected.<sup>8</sup> The officers and trainees interviewed were questioned about the duration of their psychological assessment interview and were asked to select from a range of assessment interview durations provided by the OIG. The results are as follows:

- 32 of the officers/trainees stated that the duration of their psychological assessment interview conducted by PCA was between zero and 15 minutes.

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4 Kenneth Sachs Interview at 46:47.

5 Kenneth Sachs Interview at 46:15.

6 Kenneth Sachs Interview at 46:51.

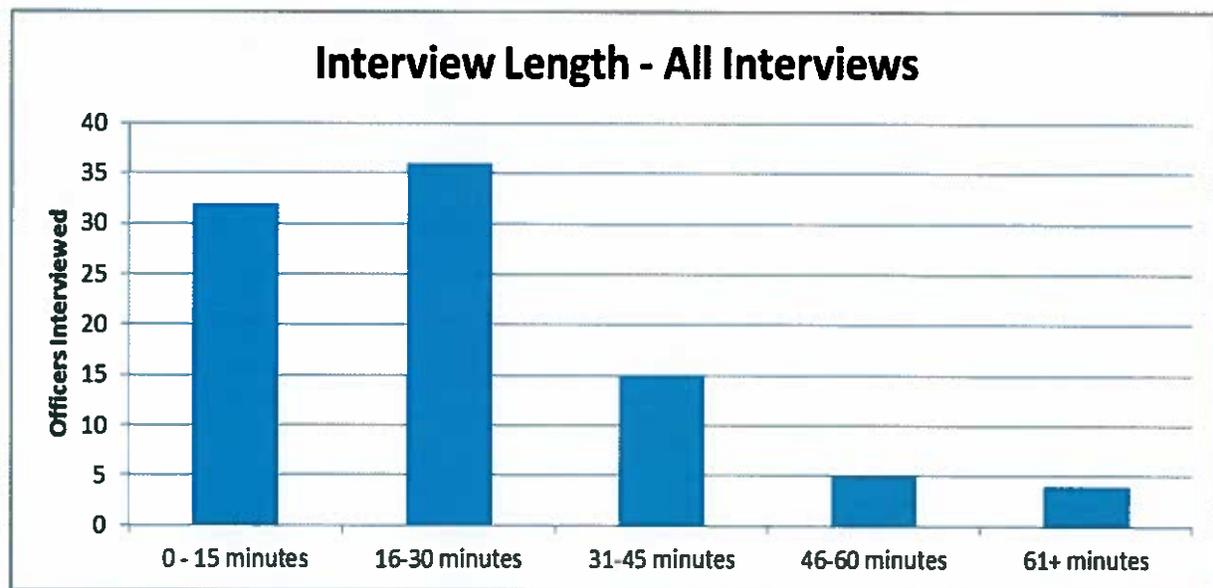
7 Kenneth Sachs Interview at 47:00.

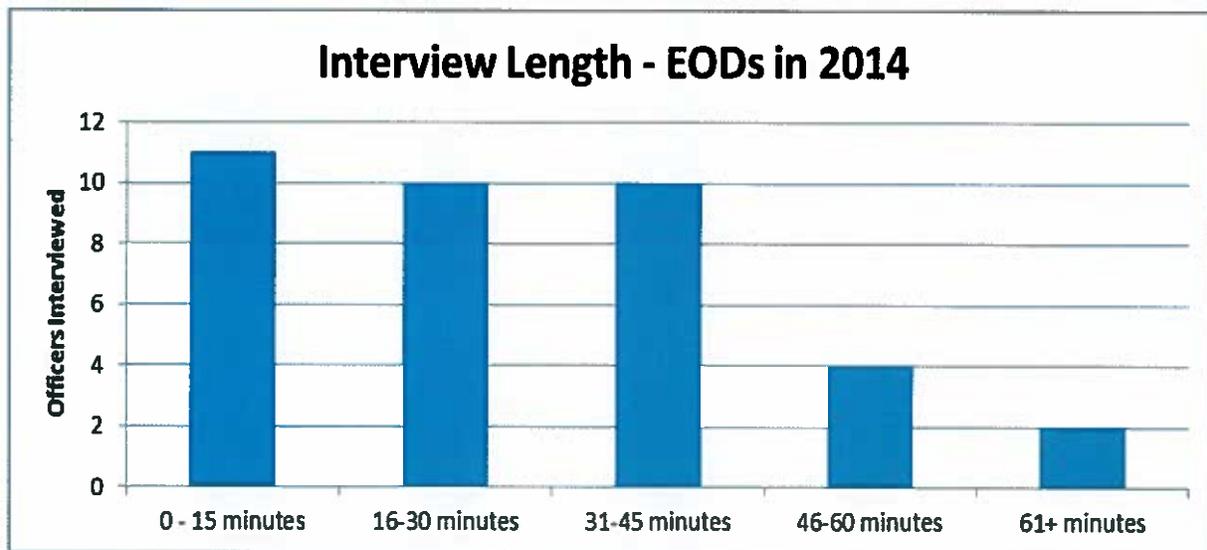
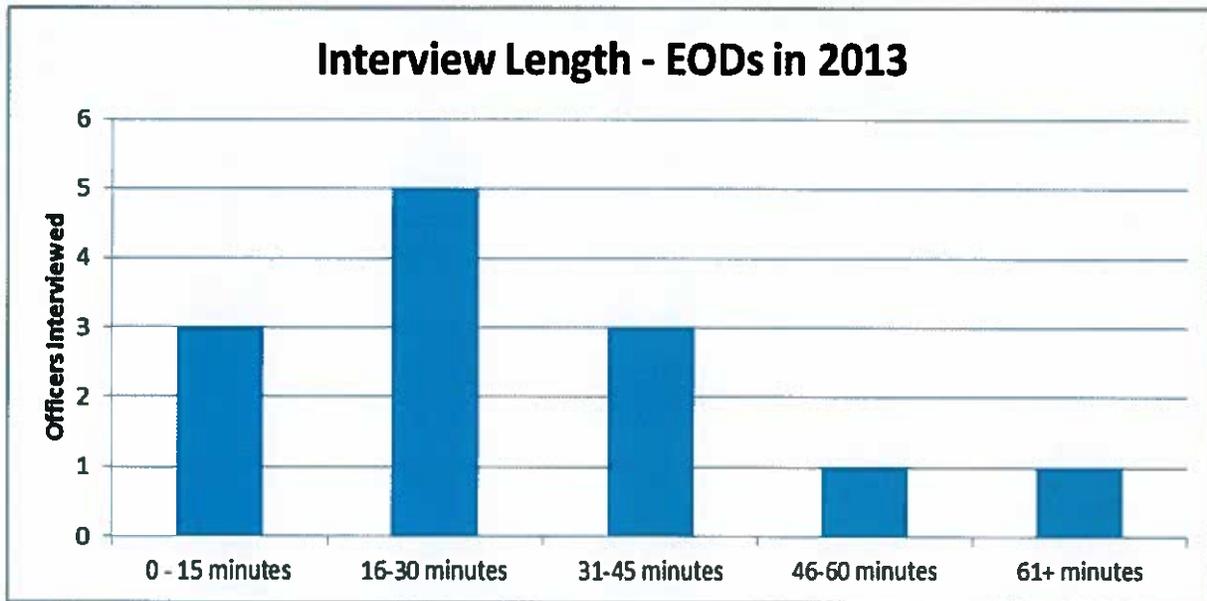
8 Of the 92 Officers interviewed, 13 had EOD dates in 2013, 37 had EOD dates in 2014, and 42 had EOD dates in 2015.

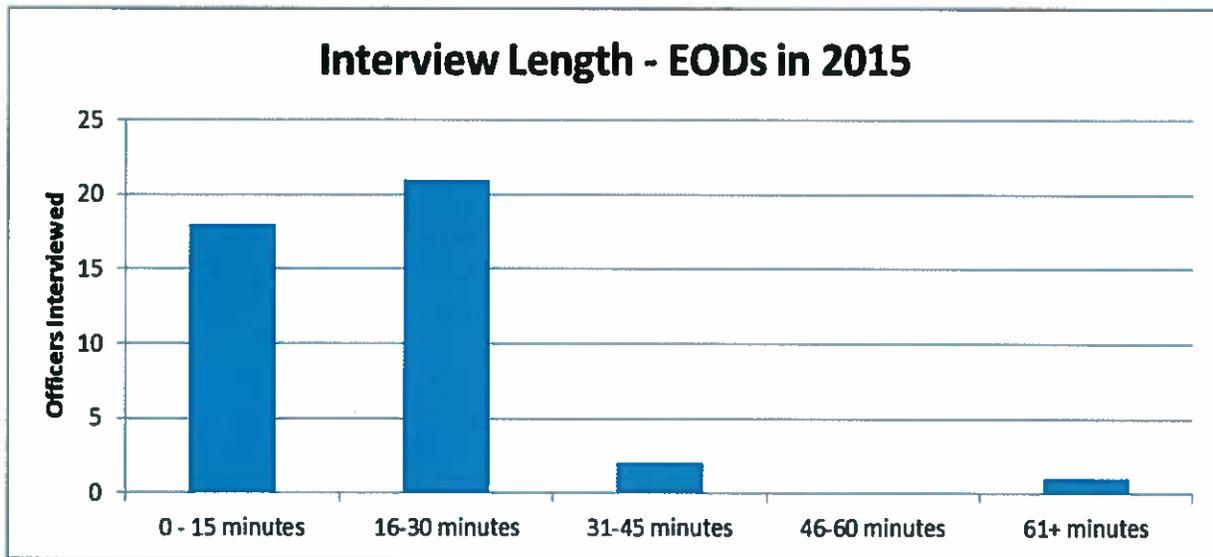
- 36 of the officers/trainees stated that the duration of their psychological assessment interview conducted by PCA was between 16 and 30 minutes.
- 15 of the officers/trainees stated that the duration of their psychological assessment interview conducted by PCA was between 31 and 45 minutes.
- 5 of the officers/trainees stated that the duration of their psychological assessment interview conducted by PCA was between 46 and 60 minutes.
- 4 of the officers/trainees stated that the duration of their psychological assessment interview conducted by PCA was greater than 61 minutes.

As indicated above, 68 BPD officers and trainees or 74 percent stated their interviews lasted between zero and 30 minutes. The remaining 24 BPD officers and trainees or 26 percent stated their interviews lasted 31 minutes or greater.

The following charts display the interview duration results in total and broken down by year of EOD.







#### Chronology of Relevant Events

April 17, 2013	Date of contract award
April 18, 2015	Start of first contractual two-year renewal term
May 1, 2015	Initial complaint received by OIG
August 7, 2015	City of Baltimore suspended certain services under PCA's contract
August 25, 2015	OIG personnel interviewed Kenneth Sachs, Ph.D.
September 21, 2015	OIG personnel began interviews of BPD officers
February 12, 2016	OIG concluded interviews of BPD officers and trainees

#### Analysis

The contract requires PCA to perform pre-hire mental evaluations of BPD officers, among other duties.<sup>9</sup> The itemization of the requirements of pre-hire mental examinations under the contract is as follows:

- C. Pre-Hire Mental Examination of officers.
1. Contractor shall perform pre-hire psychological assessment examinations of departmental police officers only.
  2. To perform pre-hire psychological assessment evaluations of police officer candidates utilizing an assessment instrument commonly accepted as being valid based on historical data.
  3. Each assessment interview shall last a minimum of one hour per candidate.
  4. Determine that each applicant is Recommended, Recommended with Reservations, or Not Recommended accompanied by a

<sup>9</sup> Detailed Specifications, DSI.C.3, Solicitation B50002644 – Request for Psychological Services

printed report for the Department to facilitate management decisions on suitability for hiring.<sup>10</sup>

As stated in requirement C.3 above, the contract mandates that each “interview shall last a minimum of one hour per candidate.” The Bureau of Purchases advised the OIG that its definition of the term “interview” in this context is: “A meeting of people face-to-face, especially for consultation. A close and detailed scrutiny of an individual, in person, to make an assessment.” At his interview, Dr. Sachs espoused a different interpretation of the term interview. Dr. Sachs stated that an interview includes performing an assessment, a 40-45 minute interview, and the dictation of the report. He stated:

“Police evals typically last about 45 minutes. In the contract or the agreement it said it is an assessment interview. So, the assessment is the giving the test, the interpretation of the test, in the interview I do a lot of questions about how they answer the test, it’s the interview itself and it’s a dictation of report. But the interview is typically 40-45 minutes.”

In this context, Dr. Sachs interpreted the term “interview” as including: the assessment test (requirement C.2), the interview itself (requirement C.3), and the dictation of the report (requirement C.4).

Of the sample of 92 officers and trainees interviewed by OIG, 68 individuals, or 74 percent, had pre-employment assessment examinations of zero to 30 minutes, significantly less than the required one hour per candidate. Using 30 minutes as a parameter of contract non-compliance, the City suffered a loss of \$9,520.00 (68 x \$140.00) for the subset of 68 officers and trainees interviewed. Projecting this result to the entire cohort of 286 candidates entering BPD employment during the 27 month period April 2013 through June 2015 would result in a loss of \$29,630 (286 x 74 percent x \$140.00).

## RECOMMENDATIONS

Three issues that have arisen during this investigation are: (1) Whether PCA breached the contract’s Section for Detailed Specifications, DS1.C.3; (2) whether one hour is the commonly accepted amount of time in the industry to conduct a law enforcement pre-hire mental examination; and (3) whether adequate contract administration and supervision was in place to ensure contract compliance. Based on the foregoing, the OIG recommends the following:

1. The Baltimore City Law Department should consider a potential breach of contract #B50002644 for which the City may be entitled to civil recovery against PCA.
2. The Baltimore Police Department (BPD) should consult with a recognized and independent expert in the industry of law enforcement pre-hire mental examinations to determine the appropriate duration for a pre-hire mental examination interview.

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<sup>10</sup> Request for Proposals for Psychological Services, Solicitation Number: B50002644, Section DS1.C.

3. The BPD should ensure that adequate contract administration policies and procedures are in place to enforce all contract terms.

### MANAGEMENT RESPONSE

Management generally agreed with the recommendations. BPD stated that they rely upon the expertise of mental health professionals to assess an applicant's suitability for a successful career in law enforcement and that cutting corners in the evaluation of an applicant puts the public and Police Department at risk. The BPD further stated that it is essential that the service providers with whom they contract execute their duties thoroughly and faithfully. The complete text of the response is included at the completion of this report.

Baltimore Police Department Response to OIG  
Recommendations



## BALTIMORE POLICE DEPARTMENT



STEPHANIE RAWLINGS-BLAKE  
Mayor

KEVIN DAVIS  
Police Commissioner

May 9, 2016

Robert H. Pearre, Jr.  
Inspector General  
City of Baltimore  
640 City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

*Re: OIG Case # 2015 - 0513*

Dear Mr. Pearre:

Thank you for conducting a thorough investigation, upon my request, into the services performed by Psychology Consultants Associated, P.A., the vendor contracted by the City of Baltimore to provide a variety of mental health services to the Baltimore Police Department (BPD), including pre-hire mental examinations, stress management counseling, domestic counseling, fitness for duty examinations, and fitness for hire examinations.

The BPD relies upon the expertise of mental health professionals to assess an applicant's suitability for a successful career in law enforcement. Cutting corners in the evaluation of an applicant puts the public and the Police Department at risk. It is therefore essential that the service providers with whom we contract execute their duties thoroughly and faithfully.

I look forward to our continued partnership as we endeavor to achieve our agencies' shared goals of promoting economy, efficiency, and effectiveness; detecting and deterring fraud, waste, and abuse; and promoting ethical, fiscal, and legal accountability.

Sincerely,

KEVIN DAVIS  
Police Commissioner

c/o 242 W. 29th Street • Baltimore, Maryland 21211